

FORM DC-1411 PART 1
Rev 3/80COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

A 472303

☒ MISCONDUCT REPORT ☐ OTHER ☐ DC-ADM 801 INFORMAL RESOLUTION

DC Number AF5977	DWF Wojtzcak	Name Wojtzcak	Institution SCIH	Incident Time 24 Hr. Base 1525	Incident Date 10-18-01	Date of Report 10-18-01
Quarters BA 1040	Place of Incident 1st floor of medical dept.					

OTHER INMATES OR STAFF INVOLVED OR WITNESSES (CHECK I OR W)

DC Number	Name	I	W	DC Number	Name	I	W

MISCONDUCT CHARGE OR OTHER ACTION Class 1 - #35 Refusing to obey an order #43 Presence in an unauthorized area.

STAFF MEMBER'S VERSION Sir, on the above date and time, while working as the infirmary complex officer, inmate Wojtzcak came to the medical dept. for his evening meal as he usually does. Inmate Wojtzcak has a doctors order that he is to eat in the medical dept. The kitchen worker had delivered his tray and it was on the side of the desk. Inmate Wojtzcak came in and received his insulin and instead of sitting at the desk to eat he entered the treatment area where a doctor was on the phone and two nurses were talking. I asked inmate Wojtzcak where he was going and he stated "I'm going to get a table." I then ordered inmate Wojtzcak out of room. Inmate Wojtzcak proceeded into the room and got the table before exiting the room. I again told inmate Wojtzcak that the room was an unauthorized area to which he stated "Well, I'll have to have someone talk to you."

IMMEDIATE ACTION TAKEN AND REASON Investigated - No further inquiry needed.

Inmate informed of report. Remain present
Stays till hearing. Inappropriate for informal resolution due to security concerns.

PRE-HEARING CONFINEMENT

IF YES

<input type="checkbox"/> YES	TIME	DATE
<input checked="" type="checkbox"/> NO		

REPORTING STAFF MEMBER
SIGNATURE AND TITLE

R. M. Call COI

FORMS GIVEN TO INMATE
ACTION REVIEWED AND APPROVED BY
RANKING C.O. ON DUTY SIGNATURE AND TITLE

L. Konec

DATE AND TIME INMATE GIVEN COPY

DATE TIME 24 HOUR BASE

10/18/01 1720

YOUR HEARING MAY BE SCHEDULED ANY TIME AFTER
DATE TIME

10-20-01 0800

MISCONDUCT CATEGORY

☒ CLASS 1 ☐ CLASS 2

Signature of Person Serving Notice

CO II J. Amell

NOTICE TO INMATE

You are scheduled for a hearing on the allegation on the date and time indicated or as soon thereafter as possible. You may remain silent if you wish. Anything you say will be used against you both at the misconduct hearing and in a court of law, if this matter is referred for criminal prosecution. If you choose to remain silent, the hearing committee/examiner may use your silence as evidence against you. If you indicate that you wish to remain silent, you will be asked no further questions. If you are found guilty of a Class 1 misconduct, any pre-release status you have will be removed.

WHITE — DC-15 YELLOW — Inmate PINK — Reporting Staff Member

GOLDENROD — Deputy Superintendent Facility Management

6/113

(10)

DC-141

Rev. 6-84

PART II B

COMMONWEALTH OF PENNSYLVANIA

DISCIPLINARY HEARING REPORT

DEPARTMENT OF CORRECTIONS

DC Number AF-5977	Name Wojtczak, Richard	Institution SCIH	Hearing Date 10/22/01	Hearing Time 0820	No. from Part I A472303
INMATE PLEA	<input type="checkbox"/> Guilty <input checked="" type="checkbox"/> Not Guilty	<input type="checkbox"/> No Plea <input type="checkbox"/> Other	Verdict	<input checked="" type="checkbox"/> Guilty <input checked="" type="checkbox"/> Not Guilty	

HEARING ACTION

CHARGES 35 Refusing to obey an order
 43 Presence in an unauthorized area

FINDINGS OF FACT, VERDICT, AND SANCTIONS IMPOSED

Wojtczak pleads not guilty.

Wojtczak testified he gets this table every day to eat. Co McCall has seen him do it & never said anything. On the 18th he did as usual & as he exited the room with the table Co McCall said "I should write you up." Contends he received no order prior to entering the room.

Examiner points out this is not an issue as to what Wojtczak has done in the past. It is an issue of: was there an order issued? did Wojtczak comply to the order. The report is believed Wojtczak entered the treatment area & was asked where he was going. Wojtczak responded "to get a table." Co McCall then ordered him out but Wojtczak "proceeded into the room & got the table before exiting." The handbook requires inmates to immediately comply to the last order given. If unjust, he is to comply & file a grievance at a later time. As per the report Wojtczak did not comply to the order.

☒ YES ☐ NO

The inmate has heard the decision and has been told the reason for it and what will happen.

☒ YES ☐ NO

The circumstances of the charge have been read and fully explained to the inmate.

☒ YES ☐ NO

The opportunity to have the inmate's version reported as part of the record was given.

☒ YES ☐ NO

The inmate has been advised that within 15 days a request for a formal review may be submitted and that this request must contain specific reasons for the review.

30 days loss of lockout
 4 hr 84m phone

SEE APPENDICES

Exhibit 1-3 A, part

10/22/01

30141 II A, c

NAME(S) OF HEARING EXAMINER/COMMITTEE
 (TYPED OR PRINTED)

Mr. Richard Norris
 Hearing Examiner

Hearing Report and all appended information must be signed. Signature indicates finished report with appendices.

R. Norris
 SIGNATURE OF HEARING EXAMINER/COORDINATOR

(4)

DC-141 PART II E
MISCONDUCT HEARING APPEALCOMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

DC Number AF5977	Name RICHARD WOJCZAK	Institution SCiH	No. from PART I A472303
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Sent 10-31-01 per

I was found guilty of misconduct # A472303 on 10-22-01 (date) by the Hearing Committee/Examiner, and I wish to appeal that decision on the following grounds:
Check Area(s) Involved

- a. The procedures employed were contrary to law, Administrative Directive 801, or to the ICU Consent Decree;
- b. The punishment is disproportionate to the offense;
- c. The evidence was insufficient to support the decision.



Below is a brief statement of the facts relevant to my claim(s). It includes the identity of all persons who may have information which may be helpful in resolving this matter.

I have attached documents concerning this Misconduct, including inmate versions of the incident. I was Not in an Undertended Area; I did Not refuse to obey an order. The hearing examiner, R. Norring denied my request to call witnesses who did have information that would have been helpful in resolving this matter! The witnesses - persons information would clearly show that I was Not in an Undertended Area, therefore I could Not have refused to obey an order! persons are: Nurse Supervisor Patty Cusick, officers F. Staton, Greening, B. Craig, K. Owens. (and other staff in vicinity). Hearing Examiner ignored facts that Co. R. McCall had seen me get the Table on numerous prior occasions; Co. R. McCall did Not inform me of the charges he was making in the infirmary; Co. R. McCall did Not have an infirmary inmate number get the Table for me; and Co. R. McCall's Prior History of Harassing Inmates. The Hearing Examiner just flatly denied Mr. Blum's defense to these unfounded charges! Not even the minimum of any Due Process! Just, "I believe the guard not the inmate". Based on all of the facts, this Misconduct should be dismissed! The Hearing Examiner didn't even reduce the Misconduct to a CLASS 2!

Does this Misconduct affect in ANY WAY my classification as a Level 2, minimum security inmate? If it does, how does it affect my CUSTODY STATUS?

Does this Misconduct affect my TRANSFER to SCi Laurel Highlands? Or for my TRANSFER to ANY OTHER Level 2, minimum security facility? If it does, how does it?

I have also attached my request slip to Tom Rimbicki dated 7-27-2001.

Richard Wojczak
SCiH

To PRC

Misconduct # A472307 dated 10-18-01

10-19-01

Richard Whiting AF5977
Sci Huntingdon, Pa. c/c

Plea: Not guilty, the facts.

require this Misconduct to be dismissed.

Because of my disabilities, for approx. 10 months I have eaten my meals in the infirmary. I can Not bend my knees far enough to sit at the 'desk' to eat, so I get a 'little table' so I can eat. I have been getting this 'table' for this entire time (ask officer: Stotes, Examiner Craig Owens). After I eat, I wash the plastic ware in the sink. Co. R.M. McCall has seen me do this on numerous occasions the entire time he has been in the infirmary (approx 2 months). Co. R.M. McCall has NEVER said anything for this entire time, about me getting this 'table', washing the plastic ware in the sink, I'm in an unauthorized area UNTIL 10-18-01. It should be Noted: NO ONE else in the infirmary (officers or medical staff) has ever said anything about me getting this 'table', 'washing plastic ware', or 'Unauthorized area'. Also, I am classified as a Level 2 minimum security inmate. I am Not a Security Concern. On 10-18-01 I did what I usually do, I got the 'table' so I could eat. As I was coming through the door with this 'table', Co. R.M. McCall told me I was in an 'Unauthorized area' - 'I should write you up'. I said 'McCall I always get the 'table' and you have seen me Numerous times'. McCall again said 'you are in an unauthorized area and I should write you up'. I told McCall that I would have someone talk to him. I sat down and ate supper. Co. McCall said to the relief officer, 'these inmates just don't know who they're fuckin' with'. After I finished eating I went to shower in the ATA room. A Capt or Lt. asked me what happened in the infirmary, I told him, I thought that was the end of it. When I returned to the cell block I was given the Misconduct that McCall had written. On 10-19-01, I spoke with Nurse Supervisor Patty Everhart, she read the Misconduct. She said Misconduct was ridiculous and should Not have been written. I asked Nurse Everhart to be a witness at my hearing.

It should also be Noted: ① McCall had seen me get this 'table' on numerous OTHER occasions before 10-18-01 AND Never said anything about an 'Unauthorized area'; ② On 10-18-01 McCall Never said anything about 'Unauthorized area' until I was half way through the door with the 'table'; ③ McCall Never gave me any Warning of the changes he was making in the infirmary concerning this 'table'; ④ McCall Did NOT have an infirmary worker get this 'table'.

(one of 2)

I did NOT refuse an Order. I was NOT in an 'unauthorized area' !!

Co. R. McCall did NOT consider the 4 alternate methods of handling this situation. His ONLY thought was to 'write me up', issue a Misdemeanor to harass me, & free my request up to Tom Hinkel dated 7-27-01)

Co. R. McCall's Conduct was unprofessional, Conduct unbecoming a correctional officer, and pure harassment.

Also considering Co. McCall's past history of harassing inmates, his Training as a professional correctional officer MUST be revisited, and disciplinary sanctions applied to him.

S/ Richard D. Hartzel AF5977
10-19-01

cc: copy to,
bearing examiner at hearing.

Richard Kistner AF5977
S.C.P. Huntington
10-19-01 c/c

Misconduct # A472303 dated 10-18-01

10-19-01 7³⁰ AM I talked with Nurse Patty Everhart (nurse supervisor) about this Misconduct.

She said that I always got my table to eat on, the misconduct should Never have been written! She said she would talk to Shift Commander, the misconduct will be dismissed!

McCall has worked the 2PM-10PM shift in the infirmary for approx. 2 months, He - McCall has seen me get this table for me to eat on ALL that Time! He - McCall has Never said a word about Unauthorized area. Before! Now, all of a sudden it's an 'Unauthorized area'!

Now, when I wash my plastic ware in the sink, after I eat I will "again be in an authorized area" and get another 'Misconduct'!

See copy of my Request Slip to
Tom Bembach dated 7-27-01 attached!

I asked Patty Everhart, have I ever caused ANY problems, trouble to any of the staff in the Medical Dept., Ever? she said NO!

I told Patty Everhart, I have 'problems' at Commissary; 'problems' at ATA room cleaners; 'problems' in jail line; now 'problems' when I eat in infirmary! What else do you have in store for me?

I told Patty Everhart that I MUST stay away from McCall, he will just keep giving me Misconducts!!

*** Therefore, I will NOT be eating supper in the infirmary any more AND I will NOT be coming to infirmary for my insulin at 3³⁰ PM!

In this way, I can do the best that I can to AVOID McCall and he can give his Misconducts to someone else!!

I fully expect, that when I refuse to eat supper in infirmary and NOT take 3³⁰ PM insulin (to solve the problem of McCall, Sci. Duty doc says NOT to him for making STUPID MISCONDUCTS, & stay away from him) McCall will tell me to eat supper & take insulin - That's a direct order, McCall will give me Another Misconduct for 'refusing a direct order'!!!

I discussed all of this with Nurse P. Everhart, she said she would talk to Shift Commander!

DC-141 PART III
 PROGRAM REVIEW COMMITTEE ACTION
 COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF CORRECTIONS

☒ Misconduct Appeal ☐ Periodic Review ☐ Other

DC Number
AF-5977

Name
WOJTCZAK, Richard

Institution
SCIH

Date of Review
11-14-01

No. from PART I
A472303

PROGRAM REVIEW COMMITTEE'S DECISION AND ITS RATIONALE

P.R.C. Formal Review of Misconduct #A472303

BASIS OF APPEAL:

1. The procedures employed were contrary to law or to Administrative Directive 801.
2. The punishment is disproportionate to the offense.
3. The evidence was insufficient to support the decision.

DISCUSSION:

Mr. Wojtczak is appealing the instant misconduct based on his contention that the procedures employed were contrary to law and Admin Directive 801. He also believes the punishment was disproportionate to the offense and the evidence was insufficient to support the decision.

In his appeal, Wojtczak claims that the Hearing Examiner only listened to the officer's side of the story and did not even listen to anything that he had to say. He believes that the misconduct should be dismissed or reduced to a Class II.


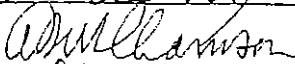
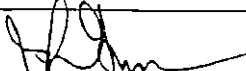
On 10-18-01, Officer McCall issued a misconduct on Wojtczak for Refusing to Obey an Order and Presence in an Unauthorized Area. In the report, Officer McCall notes that Inmate Wojtczak refused to follow an order and moved a table ~~XXXX~~ which Officer McCall had told him not to move. The Hearing Examiner found Wojtczak guilty for Refusing to Obey an Order and sanctioned him 30 days Loss of Lockout Yard, Gym and Phone.

PRC has reviewed the misconduct report and subsequent appeal and finds that there are extenuating circumstances in this misconduct and will reduce the misconduct to a Class II. The decision of the Hearing Examiner is sustained and the sanction is reduced to a Class II misconduct.

Privilege restriction will stand.

DECISION RELATIVE TO HEARING COMMITTEE'S VERDICT

☐ Not Applicable ☐ Sustain ☒ Sustain-Amend ☐ Refer Back for Further Study ☐ Exonerate Inmate

Names of Program Review Committee Members	Signatures	Date
D.P. Elliott, Corrections Unit Manager		11/14/01
A.S. Williamson, Deputy Supt./Cntrlzd Svcs.		11-14-01
J.L. Grace, Deputy Supt./Fclts Mngmnt.		11/14/01

ORIGINAL -DC-15 COPY-Inmate Cited COPY-Staff Member Reporting Misconduct COPY-Deputy Superintendent

2

(3)

As of the date of this letter I have received absolutely No response

whatsoever to the After Disclosed Evidence.

Due to the peculiar environment of the prison setting, it may be that certain facts, relevant to the disciplinary determination, do not come to light until AFTER the formal hearing. It would be unduly restrictive to require such facts to be excluded from consideration -- see -- Baxter v. Palmigiano, 96 S.Ct. 1551 (1976); the exclusion of such evidence violates Due Process -- Graham v. Baughman, 772 F.2d 441, 445 (8 Cir. 1985); Green v. Nelson, 442 F.Supp. 1047, 1057 (D. Conn. 1977).

There is NO credible, truthful evidence to support my conviction of Misconduct A472303, these Due Process Violations significantly affected my ability to demonstrate my innocence -- This Misconduct must be expunged -- removed from my records -- see Wolff v. McDonnell, 94 S.Ct. 2963 (1974); Delkaine v. Carlson, 826 F.2d 698, 707 (7 Cir. 1987); Nayes v. Thompson, 637 F.2d 483, 493 (7 Cir. 1980); Morgan v. Ellertson, 785 F.Supp. 295, 303 (D. Ar. 1992) -- see also -- King v. Anglin, 541 F.Supp. 1230, 1235 (E.D. Pa. 1982).

I write to you for your immediate intervention and resolution.

Sincerely,
/s/ Richard D. Stutz

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MR. Jeffery A Beard Ph.D. - Secretary	
Pa. Dept. of Corrections - P.O. Box 598	
520 Lisbon Rd.	
Camp Hill, Pa. 17001-0598	

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Superintendent
of Huntingdon, Penna.
1100 Pike St.
Huntingdon, Pa. 16654-1112

Richard Wojtylak AF5977
1100 Pike St.
Huntingdon, Pa. 16654-1112
C/C

This is an Appeal of the Program Review Committee's (PRC)
decision on Misconduct A472303. I have attached additional
documents to support my appeal. (3)

This Misconduct is a total Fabrication
by Co, R. McCall!

I must be exonerated of the 'charges' and
the Misconduct MUST be dismissed!

The 'area' I was in was NOT an 'unauthorized area',
ALSO I did NOT 'refuse to obey an order'.

Even though Hearing Examiner, Richard Norris, REFUSED to contact
or allow me to call STAFF WITNESSES who had information which
would be helpful in resolving this matter -- the STAFF WITNESSES
would testify that the 'area' I was in WAS NOT 'an unauthorized
area'! RICHARD NORRIS was unable to grasp this concept!

I was found 'guilty' of the charge, 'Refusing to obey an order' --
I was found NOT GUILTY of the charge, 'Presence in an unauthorized
area'.

On appeal to the Program Review Committee (PRC) -- D.P. Elliott -
unit manager; A.S. Williamson, Deputy Supt.; J.L. Grace, Deputy Supt.,
the PRC 'sustained the guilty verdict' on 'Refusing to obey an order'.

The ONLY BASIS on which the PRC sustained this guilty verdict
on 'Refusing to obey an Order' IS, AND I QUOTE FROM THE
PRC Decision (attached) -- "In the Report (Misconduct)

'officer McCall' notes that inmate Wojtylak refused to follow
an ORDER and MOVED A TABLE which 'officer McCall'
HAD TOLD HIM NOT TO MOVE

With just the most cursory reading of this 'report' (Misconduct),
the pertinent parts, unmistakably confirms the following --

QUOTE from this 'report' (Misconduct) (attached)

"CAME TO THE MEDICAL DEPT. FOR HIS EVENING MEAL AS HE USUALLY DOES" -- "He ENTERED THE TREATMENT AREA"

ASKED INMATE WOSTZAK WHERE HE WAS GOING AND HE STATED 'I AM GOING TO GET A TABLE'

[Handwritten signature/initials]

"I THEN ORDERED INMATE WOSTZAK OUT OF ROOM"

"I AGAIN TOLD INMATE WOSTZAK THAT THE ROOM WAS AN UNAUTHORIZED AREA"

There is NOTHING ABSOLUTELY NOTHING in the Misconduct (report) that STATES 'officer McCall' ORDERED me NOT TO MOVE A TABLE, WHICH 'officer McCall' HAD TOLD ME NOT TO MOVE!! (see Misconduct attached).

Part of the 'Due Process' of Misconduct proceedings IS NOT MAKING UP 'EVIDENCE'!

I am found 'guilty' of an 'infraction' which is NOT present in the alleged 'incident'.

A TOTALLY FABRICATED Misconduct by 'McCall' -- the Program Review Committee MAKES UP 'EVIDENCE' in order to find me 'guilty' of 'SOMETHING' -- AND EVERYONE AGREES that this is a 'Valid Misconduct'!! 'Correctional Professionals' -- 'minimum Due Process' -- WHERE??

I must be sponsored of these 'charges' AND the Misconduct A472303 must be Dismissed!

I am requesting real correctional professionals to investigate and review this Misconduct in order to receive something that resembles 'Due Process', including GRIEVANCE # 6886 (attached).

I have also attached Grievance # 6886, a formal Complaint against CO, R. McCall for writing a FALSE REPORT as an

Ms. Boney returned this Grievance #6886 to me, stating, the issue should be addressed through the Appeal Process (for Misconducts) established by DC-ADM 801. I am including this in my Appeal.

CO, R. McCall's Conduct is unprofessional AND unbecoming a Correctional Professional. This conduct is INTENDED ONLY to harass and provoke inmates, this is supported by McCall's LONG PAST HISTORY of provoking and harassing inmates!

McCall's Unprofessional Conduct can NOT be part of his TRAINING as a Correctional Professional. Surely, the Pa. Dept. of Corrections DOES NOT condone such unprofessional conduct!

CO, R. McCall's aforementioned Conduct CAN NOT be allowed to continue unchecked by the Pa. Dept. of Corrections AND S.C.I. Huntingdon.

This unprofessional conduct goes "FAR BEYOND" -- "JUST DOING HIS JOB"!

McCall is Not a 'trainee' NOR is he a 'Rookie' -- the training that he has received as a correctional officer MUST BE REVISITED and Disciplinary Sanctions imposed on him.

This, will at least, be a step in preserving the INTEGRITY of real Correctional Professionals.

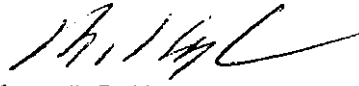
S/ Richard Boytjak
11-19-01

1040

COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
State Correctional Institution at Huntingdon
(814)643-2400
December 14, 2001

SUBJECT: Appeal of Misconduct # A472303

TO: Richard Wojtczak, AF-5977
BA Unit

FROM: 
Kenneth D. Kyler
Superintendent

received
12-19-01 Rec

My review of your appeal of misconduct # A472303 indicates it is based on your belief that:

- A. The procedures employed were contrary to law or Administrative Directive 801.
- B. The punishment is disproportionate to the offense.
- C. The evidence was insufficient to support the decision.

I have taken the opportunity to read your lengthy appeal, the Program Review Committee decision, your appeal to the PRC, and the entire misconduct packet. The report writer clearly establishes the charge of Refusing to Obey an Order. Officer McCall documents that after receiving your insulin, you proceeded into the Treatment area to obtain a table. He notes that he ordered you out of the room and you failed to comply with that order by proceeding into the room and getting the table before exiting the room. It is clearly established in the Inmate Handbook that you are required to immediately comply with an order that is issued. Although you continue to argue that this was your daily routine, Officer McCall documents that due to circumstances of staff being in the area and on the phone, the order was issued for you to get out of the room. A review of the disciplinary hearing report indicates that the misconduct hearing was conducted in accordance with the procedures established by DC-ADM 801. You continue to argue that the hearing examiner did not permit your staff witness as requested. However, the hearing examiner justifies denying your witness noting that Mrs. Everhart was not present to see or hear the incident. You fail to cite any other procedural errors in your appeal, and for these reasons, I find your argument of procedural error to be of no merit whatsoever. Based on the narrative content of the misconduct report and the findings of fact as outlined by the hearing examiner, I find ample evidence on which to support a finding of guilt. The hearing examiner is charged with the responsibility of determining credibility, and in this instance, he chose to believe Officer McCall's account of the incident other than your denial of the charges.

It is noted that the PRC reduced this misconduct to a Class II indicating that the privilege restriction will stand. The amended sanction by the Program Review Committee is found to be both appropriate and proportionate in view of the offense.

For the reasons outlined above, I reject your appeal as lacking merit, and therefore sustain the decision of the hearing examiner.

KDK:tl

cc: Deputies
Mr. R. Norris
DC-15
File

DC-ADM 804. Inmate Grievance System

DC-804
Part 3Attachment C
COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
SCI-Huntingdon

November 5, 2001

DATE:

SUBJECT:

Grievance Rejection Form

FOR OFFICIAL USE ONLY

6886

GRIEVANCE NUMBER

TO:

Richard Wojtczak, AF-5977
BA Unit

FROM:

D. Barey
Facility Grievance Coordinator

The attached grievance is being returned to you because you have failed to comply with the provision(s) of DC-ADM 804, Inmate Grievance System:

1. ☒ Grievances related to the following issues shall be handled according to procedures specified in the policies listed and shall not be reviewed by the Facility Grievance Coordinator:
 - a) DC-ADM 801-Inmate Disciplinary and Restricted Housing Unit Procedures
 - b. DC-ADM 802-Administrative Custody Procedures
 - c. other policies not applicable to DC-ADM 804.
2. ☐ Block B must be completed, as per the Instruction #3 of the Official Inmate Grievance Form.
3. ☐ The grievance does not indicate that you were personally affected by a Department or facility action or policy.
4. ☐ Group grievances are prohibited.
5. ☐ The grievance was not signed and/or dated.
6. ☐ Grievances must be legible and presented in a courteous manner.
7. ☐ The grievance exceeded the two (2) page limit. Description needs to be brief.
8. ☐ Grievances based upon different events shall be presented separately.
9. ☐ The grievance was not submitted within fifteen (15) working days after the events upon which claims are based.
10. ☐ You are currently under grievance restriction. You may not file any grievances until _____ Date
11. ☐ Grievance involves matter(s) that occurred at another facility and should be directed by the inmate to the appropriate facility.
12. ☐ The issue(s) presented on the attached grievance has been reviewed and addressed previously.

Note:

In reviewing this matter, I note that you have not even completed the appeal process of DC-ADM 801 and subsequently, this grievance will not be processed on your allegations that this is a false misconduct report. This issue should be addressed through the appeal process established by DC-ADM 801.

cc: Mr. S. Walters, Mr. R. Leidy, DC-15, File

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
INMATE'S REQUEST TO STAFF MEMBER		C/C	
S. Walters - Unit Manager BA		INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
1. To: (Name and Title of Officer) RICHARD WOJTCZAK AF5977	2. Date: 11-15-01		
3. By: (Print Inmate Name and Number) Richard Wojtych Inmate Signature	4. Counselor's Name Liddy		
	5. Unit Manager's Name Walters		
6. Work Assignment medically unable to work	7. Housing Assignment BA 1040 cell		
8. Subject: State your request completely but briefly. Give details.			
<p>On 10-31-01 I sent my appeal of ASSIGNMENT #A472303 to the Program Review Committee (interviewed by Sgt. Hagen). I have NOT received the PRC decision yet. See DC-ADM 801, I. g. (7), "5 working days of receipt of appeal." (Please Refer). Please look into this for me.</p> <p>Thank you.</p> <p>C/C</p>			
9. Response: (This Section for Staff Response Only)			
<p>I received PRC decision on November 11-15-01, 7:15 PM after I sent in this request slip!</p>			
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>	

Staff Member Name

Print

/

Sign

Date

DC-804
Part 1COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA 17001-0598

FOR OFFICIAL USE ONLY

#7815

GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>Mr. Barney</i>	FACILITY: <i>Sci. Huntingdon</i>	DATE: <i>12-14-01</i>
FROM: (INMATE NAME & NUMBER) <i>RICHARD WOJTEZAK A#5977</i>	SIGNATURE of INMATE: <i>Richard Wojtezak</i>	
WORK ASSIGNMENT: <i>medically unable to work</i>	HOUSING ASSIGNMENT: <i>BA 1040 cell</i>	
INSTRUCTIONS:		
<p>1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.</p> <p>2. State your grievance in Block A in a brief and understandable manner.</p> <p>3. List in Block B any actions you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.</p>		
<p>A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages.</p> <p><i>Following the Mandates of DC-ADM 801, I sent my Appeal of Misconduct # A472303 10-18-01 (by PRC) to Superintendent Kyler on 11-19-01. By 12-7-01 I had not received a response from Supt. Kyler on my Appeal of this Misconduct. On 12-7-01 I wrote a Request Slip to Supt. Kyler (with a copy of my Appeal I sent him on 11-19-01 attached) stating that I had not received his response to my Appeal. I also reminded Supt. Kyler of the Mandates of DC-ADM 801, I, 2C. As of this date 12-14-01 I still have not received a response to my Appeal of Misconduct # A472303 from Supt. Kyler. Without this response I can not "exhaust my administrative remedies". Now I must file yet another inmate Grievance which should not be necessary.</i></p>		
<p>B. List actions taken and staff you have contacted, before submitting this grievance.</p> <p><i>Sent Request Slip to Supt. Kyler again; DC-ADM 801, I, 2C.</i></p>		

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

WHITE - Facility Grievance Coordinator Copy CANARY - File Copy PINK - Action Return Copy GOLDENROD - Inmate Copy

Revised
December 2000

(8)

Form DC-135A		Commonwealth of Pennsylvania Department of Corrections	
INMATE'S REQUEST TO STAFF MEMBER		INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
Nurse Supervisor P. Everhart			
1. To: (Name and Title of Officer) RICHARD WOJTEZAK A#5977	2. Date: 10-22-2001		
3. By: (Print Inmate Name and Number) Richard Wojtezak Inmate Signature	4. Counselor's Name Leidy		
	5. Unit Manager's Name Walters		
6. Work Assignment medically unable to work	7. Housing Assignment BA 1040 cell		
8. Subject: State your request completely but briefly. Give details.			
<p><u>I want to make this a formal statement in writing!</u></p> <p><u>The misconduct #A472303, dated 10-18-01 that you received 10-19-01 (McCall issuing this misconduct to me).</u></p> <p><u>I was found guilty of this misconduct #A472303 at my hearing on 10-22-01</u></p> <p><u>As I told you on 10-19-01, if Co. R. McCall is working the infirmary I WILL</u></p> <p><u>NOT be drawn & infirming to EAT and/or get indolent!</u></p> <p><u>I WILL STAY AWAY FROM Co. R. McCall.</u></p>			
C/C		Richard Wojtezak	
9. Response (This Section for Staff Response Only)			
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>	

Staff Member Name _____ / _____ Date _____
 Print Sign

(Part 1 of 2) 1040 BA

AF-5977

(8)

Form DC-135A INMATE'S REQUEST TO STAFF MEMBER		Commonwealth of Pennsylvania Department of Corrections C/C INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.	
1. To: (Name and Title of Officer) Richard Waters AF-5977		2. Date: 10-22-2001 C/C	
3. By: (Print Inmate Name and Number) <u>Richard Wojcik</u> Inmate Signature		4. Counselor's Name Leidy	
		5. Unit Manager's Name Walters	
6. Work Assignment medically unable to work		7. Housing Assignment BA 1040 cell	
8. Subject: (State your request completely but briefly. Give details.) As we discussed on 10-19-01, incident #A472303 dated 10-18-01, 'inmate unauthorized area', 'refusing to obey an order' (me sitting in the infirmary, 'Table'). At the Medical Dept. is well aware, I have degenerating bone disease in my knees, hips, and disc in spine. Causing me extreme pain - I can NOT walk very far; I can NOT stand too long; I MUST SIT DOWN! We also discussed me having more MORE CONFLICT with the guards and staff NOT wanting to hear anything about my disabilities! I have explained these CONFLICTS to you - (1) Commissary - after a very long walk to commissary, I MUST SIT DOWN! Guards at Commissary tell me to stand in line or go back to my cell! Capt. Lantry is no longer interested in this situation. I have to have another inmate go to Commissary with me to carry my Commissary book - (2) ATA room showers - after the long walk to shower, I MUST SIT DOWN! After I shower I MUST SIT DOWN until the pain subsides before I walk back to my cell. Guards at the center ask why I am sitting down, I explain I am told - you can't sit here go back to your cell. I have another inmate walk back with me in case I fall. - (3) Pill Line - I had to stop going to pill line I can NOT stand in line, when I sit down to wait, guards tell me to get in line or go back to your cell - (4) Eating in infirmary, Now we have CONFLICT -			
9. Response: (This Section for Staff Response Only) Mr. Wojcik (Cont. part 2) As I have told you, I spoke with your Unit manager the Shift Commanders regarding your concerns and during shower time & commissary times I understand your concerns regarding avoiding conflict about not eating or taking your exercise in. In your best medical interest, as we discussed, currently you are still on the list for personal care needs at a different facility and we can't move further until beds are available.			
To DC-14 CAR only <input type="checkbox"/>		To DC-14 CAR and DC-15 IRS <input type="checkbox"/>	

Staff Member Name

P. Wojcik
PrintP. Walters
Sign

Date

10-25-01

(Part 2 of 2)

Form DC-135A

INMATE'S REQUEST TO STAFF MEMBER

(Cont.)

Nurse Supervisor P. Everhart

Commonwealth of Pennsylvania
Department of Corrections

C/C

INSTRUCTIONS

(cont.)

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

RICHARD WOJTCZAK AF5977

2. Date:

10-22-2001

C/C

3. By: (Print Inmate Name and Number)

Richard Wojczak

Inmate Signature

4. Counselor's Name

Leidy

5. Unit Manager's Name

Walters

6. Work Assignment

medically unable to work

7. Housing Assignment

BA 1040 cell

8. Subject (State your request completely but briefly. Give details.)

When I go to eat in infirmary I get a Misconduct issued by a PSYCHOTIC guard! STRIFE at Commissary - ATA, bus shower - Pillbox - Eating in infirmary - What ELSE is COMING? I have attacked my request slip to Scott Walters, Unit Manager, dated 10-2-01. I received NO Response from Walters! NO reasonable accommodations have been made for my Disabilities: Church - Chapel; eye doctor SCIH; law library; Mental Health Clinic; forklift; Commissary; Dentist; showers (DC ADM 006) - NOTHING but STRIFE! This Class Misconduct Now STRIPS me of my Level 2, minimum security status AND my TRANSFER to a Level 2, minimum security facility!!! Because of a PSYCHOTIC guard! "Correctional Professionals"? Where? I am requesting you to give me DETAILED WRITTEN INSTRUCTIONS - table & stool; washing my plastic ware; where I sit when I eat; all other information you believe I should have concerning the infirmary so I don't violate any rules/regulations - so I am NOT in an unauthorized area ETC. - Again, I am informing you - when Co. R. McCall is working infirmary complex and/or traffic control desk at infirmary complex - I WILL NOT be back to infirmary for insulin or to eat!

Richard Wojczak

9. Response (This Section for Staff Response Only)

The optometrist is here & when you are scheduled we will assist you any way we can in facilitating that visit. The mental health coordinator does have regular contacts with you. I cannot speak for Mr. Walters.

To DC-14 CAR only ☐To DC-14 CAR and DC-15 IRS ☐

Staff Member Name

P. Everhart

Print

P. Everhart

Sign

Date

10-25-01

DC-804
Part 1COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA 17001-0598

FOR OFFICIAL USE ONLY

#6886
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>Ms. Boney</i>	FACILITY: <i>SCi Huntingdon</i>	DATE: <i>11-2-2001</i>
FROM: (INMATE NAME & NUMBER) <i>RICHARD W. TOWAR AF5977</i>	SIGNATURE OF INMATE: <i>Richard Towar AF5977</i> %C	
WORK ASSIGNMENT: <i>medically unable to work</i>	HOUSING ASSIGNMENT: <i>BA 1040 cell</i>	
INSTRUCTIONS: 1. Refer to the DC-ADM 804 for procedures on the inmate grievance system. 2. State your grievance in Block A in a brief and understandable manner. 3. List in Block B any actions you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.		
<p>A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages.</p> <p><i>I am filing this FORMAL GRIEVANCE against Co. R. McCall, in order to exhaust my administrative remedies. Co. R. McCall issued me Misconduct #A472303, dated 10-18-01.</i></p> <p>*** This Misconduct is a filing of a FALSE REPORT. ***</p> <p><i>a legal, official document by Co. R. McCall.</i></p> <p><i>I did NOT refuse to obey an order; I was NOT in an 'Unauthorized Area'.</i></p> <p><i>Co. R. McCall's ONLY INTENTION for writing this FALSE REPORT is to harass, provoke, intimidate and tempt. Co. R. McCall is attempting to have my Level 2, minimum security status classification taken from me!</i></p> <p><i>Co. R. McCall's CONDUCT is unprofessional, CONDUCT unbecoming a Correctional professional, and is INTENDED ONLY to harass and provoke, for NO other purpose!</i></p> <p><i>Also considering Co. R. McCall's PAST HISTORY of harassing and provoking inmates, his TRAINING as a Correctional professional MUST be reviewed and Disciplinary Sanctions imposed against him.</i></p> <p><i>Please see documents attached. Not enough space provided to explain incident.</i></p> <p>B. List actions taken and staff you have contacted, before submitting this grievance.</p> <p><i>Talked with: Nurse Supervisor Patty Gurbart</i></p> <p>NOTE: This is NOT an appeal, in any way, shape, or form of</p> <p>Misconduct #A472303</p> <p>THIS IS a FORMAL GRIEVANCE against Co. R. McCall for FILING A FALSE REPORT (see above ***) AND HARASSMENT!</p>		

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

11-2-01

Inmate Grievance and Appeals
2520 Leisner Rd.
P.O. Box 598
2nd Dept. of Corrections
Harrisburg, Pa. 17001-0598

Richard Wojtyla AF5977
Sci Huntingdon, Pa.
1100 Pike St.
Huntingdon, Pa. 16652-1112
certified mailing c/c

my copy

Re: Appeal of Misconduct # A472303, dated 10-18-01

(2)

This is my Appeal of Misconduct # A472303 (DC-ADM 801, I, 3, a, b, c)

I have attached additional documents to support my Appeal.

I am Requesting an Attorney to Review my Appeal (DC-ADM 801, I, 3, a, c). An Attorney is competent to consider which is FACTUAL EVIDENCE and which EVIDENCE IS NOT FACTUAL.

An Attorney is less likely to ignore the Very Minimum of the Due Process requirements of the Misconduct Procedures. An Attorney will Not ignore Procedural Errors.

① It first must be noted, I filed my Appeal to Supt. Kyler on 11-19-01. I Did NOT receive Supt. Kyler's response until 12-19-01 (1 Month). Mr. Kyler had "three working days to respond to my Appeal" (DC-ADM 801, I, 3, c). I sent Mr. Kyler a Request Slip dated 12-7-01 about this Delay, I Received No Response! I then filed an Inmate Grievance dated 12-14-01 about this Inordinate Delay, I received No Response! (see documents attached).

I was Not notified that there would be a Delay in my Appeal, I was NOT notified as to the Reason for the Delay in my Appeal, Supt. Kyler Does NOT address this 1 Month Delay in my Appeal in his Response.

PROCEDURAL ERROR (A) - Mr. Kyler's Response to my Appeal must be dismissed as UNTIMELY, and STRUCK from the record as PROCEDURAL DEFAULT.

D) Mr. Kyler ignored (among other things - OTHER FACTUAL EVIDENCE) the Program Review Committee's (PRC) BASIS for finding of 'guilt' on "Refusing to obey an Order" (that I moved a TABLE which McCall "ordered" me not to move) (PRC decision attached). An examination of the Misconduct Report (attached) CLEARLY SHOWS NO SUCH 'ORDER' was given!

(1)

I can NOT be found 'guilty' of a charge WITHOUT FACTUAL EVIDENCE!

PROCEDURAL ERROR (B)

The PRC just "MADE UP THIS EVIDENCE" in order to find me 'guilty' of something. "Due Process", the very minimum Due Process in Missouri Procedures DOES NOT INCLUDE MAKING UP EVIDENCE!

PROCEDURAL ERROR (C)

- ③ I pointed out this "MADE UP EVIDENCE" (No order issued not to move table) to Mr. Kyler in my Appeal to him. MR. KYLER IGNORES this PROCEDURAL ERROR and just CHANGES THE SCENARIO of finding of 'guilt' from 'getting a table I was ordered not to move' to "the ORDER was issued for you to get out of the room (treatment area)" "due to circumstances of staff being in the area and on the phone" (DOCTOR on phone; 2 NURSES were talking)

PROCEDURAL ERROR (D)

MC CALL NEVER 'issued me an Order for me to get out of the room'. McCall NEVER said anything to me UNTIL I was OUT of THE ROOM (treatment area), then he said that I was in an "Unauthorized Area, and I should write you up"!

- ④ I was DENIED the FACTUAL EVIDENCE of the Testimony of 5 WITNESSES who had information which would be helpful in resolving this Matter! -- Nurse Supervisor P. Everhart; CO, F. States; Everman; B. Craig; K. Owens. These witnesses ARE FACT WITNESSES!

These witnesses were NOT being called to testify 'because they saw/heard the incident'! These witnesses WERE being called to testify that I had been in this 'treatment area' BEFORE when STAFF was in the area - STAFF were in the Room (Treatment Area), I was NOT in an 'Unauthorized Area' so I NEVER received a 'Misconduct'

for these Reasons Prior to this
PROCEDURAL ERROR (E)

Another FACT which was Completely
IGNORED BY - McCALL, Hearing Examiners
R. MORRIS, PRC (ELLIOTT - WILLIAMSON - GRACE),
and Sgt. Kyle. IS - I am classified
as a Level 2, MINIMUM SECURITY INMATE.
I am NOT A SECURITY CONCERN! There are
NO SECURITY CONCERNS by STAFF with me
Walking into the Treatment Area!

PROCEDURAL ERROR (F)

5) I was again Denied the Names of the "Doctor who was on the
phone and 2 Nurses who were Talking" (in the Treatment Room). They had
information which would be helpful in resolving this matter because
"they saw and heard the incident". Their testimony would be that
McCall gave me No "Order to get out of room"! McCALL gave me
NO "ORDER NOT TO MOVE A TABLE"! THIS MISCONDUCT IS PURE
FABRICATION!

PROCEDURAL ERROR (G)

There are AT LEAST 7 PROCEDURAL
ERRORS, which go to guilt or innocence,
in this MISCONDUCT PROCEDURE!!

And Sgt. Kyle states in his decision (attached) - that the misconduct
was conducted in accordance with procedures established by DC-ADM

I point out to you that the Procedures Established by DC-ADM 801
DO NOT INCLUDE 7 PROCEDURAL ERRORS!! AND neither does the
my Minimum Due Process of Misconduct Proceedings and Appeals!
NO FACTUAL EVIDENCE supports this Misconduct, this Misconduct
is to be Dismissed.

R. D. Tortura

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
1451 N. MARKET STREET
ELIZABETHTOWN, PA 17022

rec
1-14-02
rw
(6)

OFFICE OF THE
CHIEF HEARING EXAMINER

January 8, 2002

Richard Wojtczak, AF-5977
SCI Huntingdon

Re: DC-ADM 801 - Final Review
Misconduct No. A472303

Dear Mr. Wojtczak:

This is in response to your appeal to final review of the above numbered misconduct.

In accordance with DC-ADM 801, VI, L, 3, I have reviewed the entire record of this misconduct; including the misconduct report, the hearing report and related documents, your appeal to the Program Review Committee and their response, your appeal to the Superintendent and his response. I have also thoroughly reviewed the issues you raise to final review.

The issues you raise to final review have already been addressed by the Program Review Committee and the Superintendent. On review of the record, this office concurs with their responses. I find no persuasive basis from which to conclude that the Examiner erred in conducting the hearing. The Examiner specifically documented findings of fact based on evidence presented at the hearing to support the decision. The procedures followed were in complete accordance with DC-ADM 801, §VI. The sanction imposed is not viewed to be disproportionate to the offense, and therefore will not be amended at this level. Your requested staff witness was denied at the hearing in accordance with DC ADM 801, VI E, 7a.

For the above-stated reasons, the responses provided by the Program Review Committee and the Superintendent are upheld in full. Your appeal must, therefore, be denied.

Sincerely,



Robert S. Bitner
Chief Hearing Examiner

RSB:bjk
pc: Superintendent Kyler

"Our mission is to protect the public by confining persons committed to our custody in safe, secure facilities, and to provide opportunities for inmates to acquire the skills and values necessary to become productive law-abiding citizens; while respecting the rights of crime victims."

Chief, Secretary's Office
 Immediate, Grievance and Appeals
 520 Lincoln Rd.
 P. O. Box 598
 Pa. Dept. of Corrections
 Camp Hill, Pa. 17001-0598

1-11-02

Richard Hottel AF 5977
 Sci Huntington, Pa.
 1100 Pike St.
 Huntington, Pa 16654-1112

Certificate of Mailing

9/c

(4)

Re: Appeal of Misconduct # A472303, dated 10-18-01

After Discovered Evidence

(above documents attached hereto)

I have attached hereto: My Appeal to Chief, Secretary's Office ~~12-20-01~~²⁰; My Appeal to the Program Review Committee (PRC); My Appeal to Superintendent, Ryker, SciH; and other documents to support my Appeal; Decisions from Hearing Examiner, PRC, and Superintendent Ryker - SciH.

This AFTER Discovered Evidence has NOT been made known to me until this Present Time. This EVIDENCE goes directly to "guilt or innocence" of this Misconduct # A472303 and ADVERSELY affects the Credibility and Veracity of Co, Riley McCall's "testimony".

This EVIDENCE MUST ALSO be considered with my Appeal. ALL EVIDENCE MUST be fully and fairly reviewed for my Appeal (please see all documents attached hereto).

STATEMENT OF THE CASE:

I was found 'guilty' of 'refusing to obey an Order' (ONLY the ONE CHARGE).
 ① The Hearing Examiner AND the Program Review Committee (PRC) found me 'guilty' of 'Refusing to obey an Order' BASED UPON I moved a table that I was 'Ordered' by Co, Riley McCall, not to move. This was the 'refusing to obey an Order'.

An examination of the Misconduct # A472303 CLEARLY SHOWS --- NO SUCH ORDER WAS GIVEN by Co, Riley McCall.

The Hearing Examiner AND the PRC just MADE UP THIS EVIDENCE! (see documents attached hereto).

③ When I pointed out this FACT to Supt. Kyler, on my Appeal to him, that NO SUCH ORDER WAS GIVEN BY CO. McCall (see attached documents) Supt. Kyler just IGNORES THIS FACT AND CHANGES THE SCENARIO of finding of 'guilt' to "The ORDER WAS ISSUED FOR YOU TO GET OUT OF THE ROOM (Treatment Room-Area)" "DUE TO CIRCUMSTANCES OF STAFF BEING IN THE AREA (Treatment Room-Area) AND ON THE PHONE" (Doctor ON PHONE; 2 NURSES WERE TALKING) (see Supt. Kyler's decision AND Misconduct by Co. McCall attached lists).

THIS AFTER DISCOVERED EVIDENCE

SHOWS THAT THERE WERE NO

STAFF IN THIS TREATMENT ROOM-AREA!!!

Co. McCall NEVER issued me an 'ORDER' 'to get out of the room' (Treatment Room-Area)!

With just the Very minimum, cursory investigation (which by the way, NO ONE at Seilfuntingslow even thought to do in THEIR RUSH TO FIND ME 'GUILTY' OF SOMETHING-ANYTHING) clearly shows that the NAMES of the Doctor on the phone AND THE 2 NURSES who were talking in the Treatment Room-Area (as per Co. McCall's ACCOUNT OF THE INCIDENT 'STATES') WERE WITHHELD FROM ME!!! (see my Appeal to Chief, Secretary's Office, dated 12-20-01, attached hereto, PROCEDURAL ERROR 5(G)).

The testimony of this Doctor (on the phone) AND THE 2 NURSES who were talking in the Treatment Room-Area ('STAFF IN THE AREA?') WAS/IS VITAL. SINCE: (A) they saw and heard the incident; (B) their testimony goes to 'guilt or innocence'; (C) their testimony would PROVE I, in fact, the truth (Credibility-Veracity); (D) their testimony would PROVE Co. McCall LIED (Credibility-Veracity).

With just the Very Minimum, cursory investigation

THIS AFTER DISCOVERED EVIDENCE IS AS FOLLOWS

the medical personnel on duty in the infirmary, on 10-18-01, 3²⁵ PM
(date and time of Misconduct # A 472303)

Shene, R. assigned to INSULIN LINE (locked in nurses station dispensing INSULIN)

Delt, K. assigned to PILL LINE (locked in drug room dispensing Medications)

Lynnn, A. assigned to PILL LINE (locked in drug room dispensing Medications)

Kathy, B. assigned to RHU Medications (out in RHU, A SEPARATE BUILDING, dispensing Medications)

Michelle, F. assigned to assist Doctor with Doctor LINE (in another room, NOT Testing Area)

Dr. Aroneda, ONLY Doctor on duty, he was doing Doctor LINE.

Shene, R., could NOT be Nurse talking in Treatment room-area (Not staff in area) she was Locked in NURSES STATION

Delt, K., could NOT be Nurse talking in Treatment room-area (Not staff in area) she was Locked in DRUG ROOM

Lynnn, A., could NOT be Nurse talking in Treatment room-area (Not staff in area) she was Locked in DRUG ROOM

Kathy, B., could NOT be Nurse talking in Treatment room-area (Not staff in area) she was OUT in THE RHU, A SEPARATE BUILDING

Michelle, F. could NOT be the NURSE talking in Treatment room-area (Not staff in area) she was assisting Doctor, in ANOTHER ROOM ALTOGETHER
ALSO she could NOT be talking with ANOTHER NURSE in the Treatment Room-area Because there were NO OTHER NURSES to talk with, ALL the OTHER NURSES were doing OTHER Duties (i.e. Locked in OTHER AREAS, in ANOTHER BUILDING!!!!)

Dr. Aroneda, he states that he HAS NEVER HEARD ANY GUARD OR ANYONE ELSE EVER "ISSUE ME IN ORDER" INCLUDING 10-18-01, at 3²⁵ PM.

CO Billy McCall is NOT A ROOKIE, he knows ALL the Medical Personnel in the infirmary. He doesn't "MISTAKE" the "junior" for a Doctor or Nurse, he knows who is who in the infirmary!!!

It is Now obvious why the NAMES of the "Doctor" who was suppose to be 'on the phone' --- AND "THE 2 NURSES" who were suppose to be 'talking in the treatment room area' -- "STAFF AREA" -- were WITTEN FROM ME. THEY DIDN'T EXIST!!!

Co. Riley McCall's Lies in the Misdemeanor are NOT 'MISTAKES', THEY ARE LIES!!!!

Det. Ryker, in his 'dossier' (see document attached) SPEAKS OF "Credibility (Believability)" and "Cause To Believe officer McCall's ACCOUNT OF THE INCIDENT" (Credibility - Veracity).

THE AFTER DISCOVERED EVIDENCE shows that Co. Riley McCall HAS...

① NO CREDIBILITY (NOT BELIEVABLE) ---

② NO VERACITY (NO TRUTHFULNESS) --- McCall CAN NOT be believed

AT ALL!!!!

The Misdemeanor #A472303, MUST Be Dismissed Completely & A NOT GUILTY VERDICT RENDRED, AND COMPLETELY REMOVED FROM MY RECORDS.

ALSO DISCIPLINARY ACTION IMPOSED ON Co. Riley McCall for FILING A FALSE REPORT, LYING IN AN OFFICIAL DOCUMENT. (see Inmate

Misdemeanor #6886, 11-2-01, attached facts)

The Very Minimum Due Process in Misdemeanor Proceedings DOES NOT INCLUDE LYING AND MAKING UP EVIDENCE TO FIND GUILT.

/s/ Riley McCall

MEDICAL DAILY ASSIGNMENT SHEET

DATE: 10/18/01

DAY: Thursday

DAY SHIFT (0545 to 1415)									
NAME		ASSIGNMENT	MISCELLANEOUS	BREAK	LUNCH	BREAK			
Linda F.		B		0745 - 0800	1030 - 1100	1145 - 1200			
Ed W.		C		0800 - 0815	1100 - 1130	1245 - 1300			
Marie F.		A		0845 - 0900	0930 - 1000	1245 - 1300			
Ed M.		F	PRT	0830 - 0845	1000 - 1030	1300 - 1315			
Yvonne W.		F	RHU	0730 - 0745	0930 - 1000	1145 - 1200			
Chris S.		E A	prescreening	0800 - 0815	1000 - 1030	1230 - 1245			
Michele W.		G H	VSNOK; Inmate Ed.	0730 - 0745	1030 - 1100	1215 - 1230			
Rita M.		0800 - 1630	QI	1000 - 1015	1215 - 1245	1430 - 1445			

FLX

MEDICAL DAILY ASSIGNMENT SHEET

DATE: 10/18/01

DAY: Thursday

DAY SHIFT (0545 to 1415)						DAY: Thursday			
NAME	ASSIGNMENT	MISCELLANEOUS	BREAK	LUNCH	BREAK				
Linda F.	B		0745 - 0800	1030 - 1100	1145 - 1200				
Ted W.	C		0800 - 0815	1100 - 1130	1245 - 1300				
Barbara F.	A		0845 - 0900	0930 - 1000	1245 - 1300				
J.M.	F	PRT	0830 - 0845	1000 - 1030	1300 - 1315				
Yvonne W.	E	RHU	0730 - 0745	0930 - 1000	1145 - 1200				
Chris S.	E G	prescreening	0800 - 0815	1000 - 1030	1230 - 1245				
Michele W.	G H	VSNOCK, Inmate Ed.	0730 - 0745	1030 - 1100	1215 - 1230				
		B position - do vital signs and weights on all MD line patients and record							
Rita M.	0800 - 1630	QI	1000 - 1015	1215 - 1245	1430 - 1445				
AFTERNOON SHIFT (1345 to 2215)									
NAME	ASSIGNMENT	MISCELLANEOUS	BREAK	SUPPER	BREAK				
Sheri R.	G		1700 - 1715	1715 - 1745	2015 - 2030				
Deb K.	A	relieve PRT	1600 - 1615	1615 - 1645	1900 - 1915				
Kathy B.	E		1600 - 1615	1615 - 1645	2000 - 2015				
Lynn A.	F		1700 - 1715	1715 - 1745	1915 - 1930				
Michele F.	B		1600 - 1615	1615 - 1645	1945 - 2000				
NIGHT SHIFT (2200 to 0630)									
		B position - do vital signs and weights on all MD line patients and record							
		Mary Lou 0800 - 1630							
NAME	ASSIGNMENT	MISCELLANEOUS							
Joel A.									
Grace D.									
M. D. COVERAGE									
Dr. Araneda	PAC	John							
Dr. Polmueller		Mindy R-430							
Dr. Wawrose									
MEETINGS/TRAINING SCHEDULED									
der: Training Articles and videos available in 2nd floor doctor's office area									

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
Office of the Chief Hearing Examiner
1451 North Market Street
Elizabethtown, PA 17022

INMATE NAME: RICHARD WOJTCZAK INMATE #: AF 5977

INSTITUTION: SMITHFIELD A 472303
Misconduct Number, if relevant

FROM: Robert S. Bitner *[Signature]*
Chief Hearing Examiner DATE: 5-14-02

This is to acknowledge receipt of your letter to the Central Office. Upon review of the issue(s) you raise, I am filing your letter without action for the following reason(s):

1. ☐ You need to include the official identification number of the misconduct.
2. ☐ According to institution records, you have not completed appeal to the Superintendent.
3. ☐ Your claim to have appealed to the Superintendent without response does not entitle you to direct appeal to final review. Contact the Superintendent's office to ensure they received your appeal.
4. ☐ Your appeal to final review is unacceptably untimely.
5. ☐ Your initial confinement to Administrative Custody may be appealed through final review in accordance with DC-ADM 802. Pursuant to DC-ADM 802-3, c, there is no appeal beyond the Superintendent of a thirty (30) day review before the Program Review Committee.
6. ☐ This office has no prior record of receipt of an appeal from you on this issue.
7. ☒ You have already received final review of this issue.

ADDITIONAL COMMENTS:

Mr. Wojtczak - your 4-29-02 letter to Secretary Beard was referred to this office. We have no record of the letter you sent to Grievances and Appeals in January. My January 8, 02 response to your appeal to final review is the final position of the Department of Corrections on this misconduct.

Revised October 30, 2000

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
Office of the Chief Hearing Examiner
1451 North Market Street
Elizabethtown, PA 17022

INMATE NAME: RICHARD WOJTCZAK INMATE #: AF 5977

INSTITUTION: SMITHFIELD A 472 303

Misconduct Number, if relevant

FROM: Robert S. Bitner *[Signature]*
Chief Hearing Examiner

DATE: 5-14-02

This is to acknowledge receipt of your letter to the Central Office. Upon review of the issue(s) you raise, I am filing your letter without action for the following reason(s):

1. ☐ You need to include the official identification number of the misconduct.
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Revised October 30, 2000

(3)

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
Office of the Chief Hearing Examiner
1451 North Market Street
Elizabethtown, PA 17022

INMATE NAME: RICHARD WOJTCZAK INMATE #: AF 5977

INSTITUTION: SMITHFIELD A 472303
Misconduct Number, if relevant

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Chief Hearing Examiner

DATE: 5-14-02

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3. ☐ Your claim to have appealed to the Superintendent without response does not entitle you to direct appeal to final review. Contact the Superintendent's office to ensure they received your appeal.
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6. ☐ This office has no prior record of receipt of an appeal from you on this issue.
7. ☒ You have already received final review of this issue.

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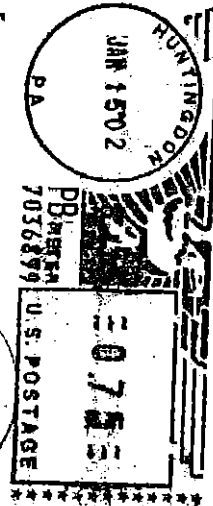
Revised October 30, 2000

(4)

Certificate of Mailing for After Discovered Evidence
1-11-02 RW

U.S. POSTAL SERVICE	CERTIFICATE OF MAILING
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER <i>1-02</i>	
Received From: <i>Richard Hitzysak AF5977 BA</i> <i>1100 Pike St.</i> <i>Huntingdon, Pa. 16654-1112</i>	
One piece of ordinary mail addressed to: <i>Chief, Secretary's Office - Inmate Services & App.</i> <i>526 Lisbon Rd - P.O. Box 598</i> <i>Pa. Dept of Corrections</i> <i>Camp Hill, Pa. 17001-0598</i>	

PS Form 3817, January 2001



Pa. Dept. of Corrections
520 Chestnut St.
P.O. Box 598
Camp Hill, Pa. 17001-0598

P.O. Box
999

Huntingdon, Pa. 16654-1112

certifying Mailing

9/c

Dear Mr. Secretary,

I have enclosed copies of 'Misconduct #472303 and my appeals of same. As I explained to Hearing Examiner Richard Norris, the Program Review Committee, Supt. Kyler and Robert S. Bitner, chief Hearing Examiner --- Officer Riley McCall NEVER issued me an Order not to move a table, NOR did officer McCall issue me an Order to get out of the treatment area-room. This 'misconduct' is a pure fabrication, McCall lied.

As usual, Richard Norris, the Program Review Committee, Supt. Kyler and Robert S. Bitner 'chose to believe' McCall and NOT me (the inmate). To put it another way, McCall 'told the truth and is believable', and I (the inmate) did NOT 'tell the truth' and therefore NOT believable. The ONLY 'evidence' that was considered was what officer McCall wrote in the 'misconduct'. This is Veracity - Credibility.

In this particular case, luckily for me, there is relevant-truthful-credible evidence that clearly shows that I am telling the truth AND officer McCall is NOT, AND he has NO credibility at all.

While my appeal of this 'misconduct' was pending before Robert S. Bitner, chief Hearing Examiner, evidence was made known to me which proves my innocence (i.e. After Discovered Evidence, which is also attached hereto). This After Discovered Evidence is the Medical Daily Assignment Sheet, which is the business record kept daily, by SCI/Huntingdon, Pa. for 10-18-01, 3:25 PM date and time of this 'misconduct'.

This Evidence clearly shows that there were NOT "2 Nurses talking in the treatment area-room" as officer McCall 'states' AND Doctor Aroneda, the only doctor on duty that day, says he has never heard any officer or anyone else ever issue me an Order including 10-18-01, 3:25 PM.

I immediately mailed this After Discovered Evidence to Chief, Secretary's office, Inmate Grievances and Appeals on 1-11-02 by certificate of mailing (see attached).

As of the date of this letter I have received absolutely NO response

(1)

whatsoever to the After Disclosed Evidence.

Due to the peculiar environment of the prison setting, it may be that certain facts, relevant to the disciplinary determination, do not come to light until AFTER the formal hearing. It would be unduly restrictive to require such facts to be excluded from consideration -- see -- Baxter V. Palmigiano, 96 Sct 1551 (1976); the exclusion of such evidence Violates Due Process -- Graham V. Bingham, 772 F2d 441, 445 (8 Cir. 1985); Green V. Nelson, 942 F Supp. 1047, 1057 (D. Conn. 1997).

There is NO credible, truthful evidence to support my conviction of Misconduct #472303, these Due Process Violations significantly affected my ability to demonstrate my innocence -- This Misconduct must be Expunged - Removed from my records -- see -- Wolff V. McDonnell, 94 Sct 2963 (1974); Del Raine V. Carlson, 826 F2d 698, 707 (7 Cir. 1987); Hayes V. Thompson, 637 F2d 483, 493 (7 Cir. 1980); Morgan V. Ellenthorpe, 785 F Supp. 295, 303 (D. Md. 1992) -- see also -- King V. Anglin, 541 F Supp. 1230, 1235 (E.D. Pa. 1982).

I write to you for your immediate intervention and resolution.

Sincerely,
/s/ Richard Stutz

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE -- POSTMASTER			
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Rev. Dr. Donald Moyer			
2085 Swamp Pike			
Gilbertsville, Pa. 19525			
One piece of ordinary mail addressed to:			
MR. Jeffery A Beard Ph.D. - Secretary			
Pa. Dept of Corrections - P.O. Box 598			
520 Lisburn Rd.			
Camp Hill, Pa. 17001-0598			

PS Form 3817, Mar. 1989

0000



00025500-04

\$0.75

U.S. POSTAGE
 PAID
 GILBERTSVILLE, PA
 MAY 1982
 AMOUNT

additional
harassment because of
my disabilities !!

Front Hock

S.C.I.H.—RESIDENT PASS

(10)

Name Wojtczak Date 1-18-81
No. AF 5977

TO

FROM

- () Block
(X) Shop COMMISARY (B)
() Factory
() Clinic (Call List)
() Dr. or Dispensary (Call List)
() Dentist (Call List)
() Prot. or Cath. Chaplain (Call List)
() Parole or Bureau (Call List)
() Control Center
() Education Office

Time of Departure 1047 Sig. RH
Official

Time of Arrival _____ Sig. _____
Official

Time of Departure 1103 Sig. [Signature]
Official

Time of Arrival _____ Sig. _____
Official

Go Fry on commissary. I told him
how to sit down until the line goes down —
I cannot stand that long!
Fry said — you walked down here, so
you can stand in line!
I got my pass back — told Fry I would get
the straightened out Mess!
I talked with Capt. Lantry — he took
care of it. I went to commissary & they
cannot come back for me.
I never had any trouble before this
with any guards on commissary — I sat
on steps — line went down — I got in
line !!
Capt. Lantry said if it happens again, to
see him.

64
75

5-28-01 6:30 AM pull line (AGAIN)

pull line for ~~me~~ for next stand sweat. If I sit on bench & wait for him to get shower (it's a long wait) guard always asks me why am I sitting there, I tell him, he says "get in line go back to your cell".
Today - I waited in my cell for him to shower (and for guard to pull bar to open cell) about 8 AM for pulled - I went to pull bar and guard, NO ONE in line, I left my cell door open a little bit so when guard would go right back in my cell. Guard closed bar - my door was out from under the bar - I closed cell door close that & wait for guard to pull bar open and I moved close my cell door - In about 10 min guard went my cell - asked why my door out from under bar, I explained. Guard next up to front of block, pulled bar, I closed my cell door.

Situation Over, NO WAY!

at 9:45 I went to waiting to get mail - I sat on bench, stood at my cell & wait for guard to pull bar - guard sitting at front of block, looking down right door - would not pull bar. To make day short - guard made me STAND for approx 30 minutes - another minute (approx) came in front of me - I got in line - GUARD the guard for 10 min cell.
This was SAME guard as this morning with my door from under the bar. GUARD's name it came me a lot of PAIN TO STAND! Standing only this way, also this on purpose!

5-28-01

Conflict with guard

2:30 PM - pull line today again, and went into infirmary & get insulin - guard asked me where I was going - I said I sat down here, that's where the tray is for! Guard said that I have to WAIT until last insulin - can only have 2 minutes back a time (and I am a Level 2?)
I said I had guard - I don't WAIT until LAST insulin - I don't - guard said yes. I told guard that it's not the procedure! But I will get a Capt. to explain it to you - I sat down and ate! CONFLICT insulin (at infirmary)!

NY
FNOV
11-01
50-01

Conflict at Commissary!

Conflict at ATA showers

Conflict when I eat

Reasonable accommodations
because I am disabled??
Nothing but CASH IS EVERY DAY!
More Conflict because I am disabled!
with commissary!

5-31-01

1:01 PM called commissary. It is a very long painful walk from my cell to commissary. After stopping 3-4 times I arrived at commissary - the guard told me that I have to go back to the block. They called guard, where guard goes through hallway I can come back. I was a little more than angry - I told the guard it's very painful for me to walk to commissary - why did you have me walk all the way down here, the tell me to go back to block - you think this pain is a joke! This CONFLICT went on for approx 5 minutes, guard said - go back to your block and I'll write you up (insubordinate)!! I walked back to the block. I asked guards on block, why did you have me walk all the way down to commissary (long frozen) & have them send me all the way back to the block? You think this pain is a joke!!! CONFLICT on block - by Sgt. Hagen said - he didn't write the PASS, talk to the guard who did! This argument went on for about 5 minutes & hallway finally cleared. I was in your yard - ~~NO WAY!~~

I had to walk all the way back down to ~~commissary~~ commissary and back! Sgt. Hagen has made absolutely NO "reasonable accommodations" commissary - what believe I suppose to do???

Additional harassment because of my disability

Ed 75

Richard Q. Wootzyak AF5977

SCI A

C/K

(10)

10-22-01

additional harassment
because of my disability

5 PM As I was 'walking' back to my cell after A.T.A. shower, I was about half way down B Block. My knees, hips and back were hurting. I lost sensation of breath. I had to stop a minute, to get myself together. Co. Richey (sic) yelled down the block, "Wootzyak, what are you doing?" I said "I'm catching my breath." Richey said "What!" I couldn't yell any louder, so I just started to walk back to my cell again.

Here's another "converted professional" who has seen me hobbling around on numerous prior occasions!

Now, I can't even stop for a minute because of the pain and to catch my breath!! (there are numerous 'McColls' at SCI/Huntington)
(see Memorandum #A472303, dated 10-18-01)

Cef
75

Addition harassment because of my
Disabilities!

Richard Wojtyjak F5977

Sci/Huntingdon, Pa,

c/c

(6)

12-22-01, 6³⁰ AM, Saturday

I have been eating my meals in the "infirmary" for several months now. breakfast + lunch - Not Supper! Since 10-19-01 I have Not eaten Supper in the "infirmary" and I have Not gotten my 3³⁰ pm insulin shot in the "infirmary" because C, R. McCall (who gave me the fabricated 'Misconduct') works the 'infirmary' 2 PM to 10 PM shift, and I do Not want to get yet another "Misconduct"! (Patty Everett knows this)

I have been using a knife-Fork-Spoon, plastic flatware to eat with. The same plastic flatware that inmates use in the chow hall.

AGAIN, today at breakfast this plastic flatware WAS MISSING!! The guard in the "infirmary", a replacement guard (Not K. Owens), called the kitchen to replace this plastic flatware. Richey (sic) the guard in the kitchen told the replacement guard that I am to use the small plastic spoon that's in the tray! No knife-Fork-Spoon plasticware!

These trays are made up for the inmates in the RHU (the Hole)! They ONLY have a small plastic spoon!

EX 75

McCall is the one taking this plastic flatware! McCall also took the Order, at the desk in the infirmary, that states I am to eat my meals in the 'infirmary', I get my insulin, after I eat - after count I take my shower - this ORDER is authorized by the SHIFT LT. and CAPT. And McCall just Takes it!!! McCall also took the plastic salt and pepper shakers that I used when I ~~eat~~ eat!

What? Why is it McCall taking these items etc. etc. etc. --- because these items ONLY turning up Missing AFTER McCall works the infirmary!

See Misconduct #A 472303 dated 10-18-01

Mr. John Thomas
Executive Assistant to the Secretary
Pa. Dept. of Corrections
P. O. Box 598
Camp Hill, Pa. 17001-0598

To Prete 12-23-02

certified mailing
12-19-02

Richard Wojtyla AF5977
Sci Laurel Highlands
5706 Glades Pike
P. O. Box 631
Somerset, Pa. 15501-0631
c/c

Dear Mr. Thomas,

I have attached a copy of the letter Mr. Fredric A. Rosemeyer, Superintendent, Sci Laurel Highlands, wrote to you dated 10-25-02.

If I were a wise man I wouldn't write you twice, nor mine, writing this letter to you. Nonetheless, I do want the FACTS to be correct AND the 'Records' to contain the TRUTH.

There is an issue of Credibility here, that is, who to believe? who is Credible, who is NOT?

I will acquaint you with the REAL FACTS with obvious proof, that will decide who is "Credible".

(1) The Pa. Dept. of Corrections has classified me as a Level 2, Minimum security inmate.

As per Mr. Donald Williamson, Coordinator/Diagnostic and Classification, Pa. D.O.C. at Camp Hill, Pa. - - -

(a) Level 2 inmates HAVE MORE PRIVILEGES than higher security inmates - - -

(b) Level 2 inmates REQUIRE LESS OBSERVATION BY STAFF.

(2) Mr. Rosemeyer states in his letter of 10-25-02, QUOTE - - - "OUR RECORDS indicate that Mr. Wojtyla's CUBE has been SEARCHED THREE (3) times in 2002, NONE WAS IN AUGUST - - -"

I have attached hereto:

'RANDOM SEARCH', CONFISCATED ITEM RECEIPT DATED 8-7-02 - - -

my property SEARCHED 3 Times in AUGUST, staff & inmate witnesses -
*No. A416536 and *No. A458522 (Jury in SAME BED AC-5-4)

"None was in AUGUST" - - - No Credibility!

'RANDOM SEARCH', CONFISCATED ITEM RECEIPT DATED 11-8-02 - - -

*No. A481324

①

EF
76

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PROVIDE FOR INSURANCE—POSTMASTER 12-19-02

Received From: *DA*
Richard J. Hartzog AF5977
5706 Glades Pike P.O. Box 631
Somerest, Pa. 15501-0631

One piece of ordinary mail addressed to:
Rev. Dr. Donald G. Moyler
Spiritual Advisor
2085 Swamp Pike
Wilbertville, Pa. 19724

PS Form 3817, Mar. 1989

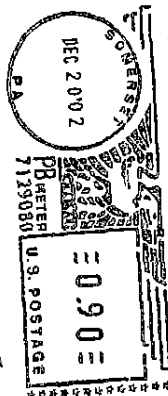


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PROVIDE FOR INSURANCE—POSTMASTER 12-19

Received From: *DA*
Richard J. Hartzog AF5977
5706 Glades Pike P.O. Box 631
Somerest Pa. 15501-0631

One piece of ordinary mail addressed to:
MR. John C. Thomas
Executive assistant to the Secretary
P.O. Box 598
Camp Hill, Pa. 17001-0598

PS Form 3817, Mar. 1989

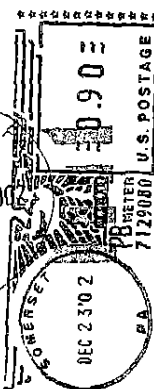


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PROVIDE FOR INSURANCE—POSTMASTER 12-23-02

Received From: *DA*
Richard J. Hartzog AF5977
5706 Glades Pike P.O. Box 631
Somerest, Pa. 15501-0631

One piece of ordinary mail addressed to:
Mr. C. Preatey
Attorney at Law
507 Linden St. Suite 600
Scranton, Pa. 18503

PS Form 3817, Mar. 1989



Supt. Rosenberger 12-26-02
Dept. Hunsberger 12-26-02

I know DA UNIT (18-2) --

DA UNIT SEARCHED EVERY DAY from 10-31-02 to 11-20-02 --

DA UNIT SEARCHED AGAIN ON 12-13-02 ---

My Property searched June-July 2002 -- 2 Times

My Property Searched AUGUST 7, 2002 TO AUG. 13 -- 3 Times

My Property searched NOV. 8, 2002 -- 1 Time

My Property searched Dec. 13, 2002 -- 1 Time

SEARCHED 7 TIMES IN 2002, NOT 3!

all witnessed by STAFF and inmates!

MR. ROSEMEYER DID NOT EXAMINE "OUR RECORDS"

very well. Again NO Credibility!

This is NOT illustrative of a Level 2,

MINIMUM SECURITY FACILITY -- where is

the "LESS RESTRICTIVE ENVIRONMENT" -- "Less

DIRECT OBSERVATION BY STAFF" -- "MORE

PRIVILEGES" ??

(Note: I was in the 'searched' on A Unit June-July-August AC5-4 --
I was in the 'searched' on DA UNIT AUGUST TO DEC, 2002 DA 18-2.

Also, while leaving the DINING HALL, 9-16-02 to 10-12-02,
1 MONTH, I was SEARCHED 19 TIMES.

This is NOT Minimum Security

"MINIMUM" -- smallest, least, lowest, narrowest, the smallest quantity
possible; the lowest degree or point reached. --
Webster's Dictionary - New World.

As you can see, MR. ROSEMEYER'S misrepresentations are
meant to deceive and mislead you. Why?

In his letter Mr. Rosemeyer also mentions "an outdoor courtyard for recreation". This "yard" is VERY SMALL, it is enclosed on 4 sides, it measures 50ft X 50ft!!!

I guess he just 'forgot' to tell you all this??

Is this 'courtyard' the "MORE OPEN SPACES" that the Pa. Dept. of Corrections STATES a LEVEL 2, MINIMUM SECURITY FACILITY IS SUPPOSE TO HAVE?

As for my 'Medical file', I ask you to examine the documentation and compare it to the TRUTH.

Sci Laurel Highlands IS A WAREHOUSE just like ALL the other PRISONS in Penna. ARE WAREHOUSES. The so called "MEDICAL TREATMENT" is absolutely repulsive.

I attach the letter I received from Superintendent Rosemeyer dated 10-21-01. He states, and I QUOTE - - "We do NOT have SINGLE cell HOUSING - - (at Sci Laurel Highlands)"

ON DA UNIT THERE ARE

5 SINGLE CELLS - ROOMS - CUBES - AREAS - - THEY ARE 1-2-3-10-11!

DON'T play SEMANTICS with WORDS - -
"CELL - ROOM - CUBE - AREA" are "CELLS"!

I am 2 states, single cell, I require a SINGLE CELL. I have HAD A SINGLE cell FOR 27 YEARS.

Sci Smithfield has a DOUBLE FENCE with RAZOR WIRE and is classified as a LEVEL 4, MAXIMUM SECURITY FACILITY.

Sci Laurel Highlands has a DOUBLE FENCE with RAZOR WIRE and is classified as a LEVEL 2, MINIMUM SECURITY FACILITY.
How can this be??

Sci Laurel Highlands - - DOES NOT have "a Less RESTRICTIVE ENVIRONMENT", DOES NOT have "MORE PRIVILEGES" for LEVEL 2 inmates; There is NOT "Less OBSERVATION of INMATES BY STAFF"; there are NOT "More OPEN SPACES FOR INMATES" - - - - -

It is undeniable, sci Laurel Highlands is NOT a Level 2, Minimum Security Facility.

Therefore, I have "Requested" from ALL the appropriate STAFF at sci Laurel Highlands AND PA. Dept. of Corrections, to be TRANSFERRED to a Level 2, Minimum Security Facility.
(attached).

Sincerely,
/ Richard G. Goff

P.S.

Mr. Thomas,

Please send me the list of the "More Privileges" I am suppose to have as a Level 2, Minimum Security Inmate.

at Laurel Highlands

DC-154A

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

No. A 422527

Confiscated Items Receipt (Inmate) 5-22-02

DC-Number AF 4977	Name WOTCZAK	Cell	Facility SCI Law	Date 5/22/02	Time 12:00
<input type="checkbox"/> Random Search <input type="checkbox"/> General Search <input type="checkbox"/> Investigative Search		Misconduct Report Prepared <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Comment: <i>[Signature]</i>	
Item(s) Confiscated		Disposition		Item(s) Confiscated	
1. MULTIPLE OLD IM PAGES		D		2. RUBBER BANDS	
3. EARPHONE (ALTERED)		D		4. (2) RELIGIOUS MADRONS	
5. (2) CHAINS		1 Destroy 1 Returned		6. PLASTIC ZIPLOC BAGS	
7. 2 BIG BAND-AIDS		D		8.	
9.				10.	
Signature and Title of Officer Confiscating the Item(s) <i>[Signature]</i>					
Signature and Title of Officer Disposing of the Item(s) <i>[Signature]</i>					

DC-154A		Laurel Highlands		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS	
No. A 458522		Confiscated Items Receipt (Inmate)			
DC-Number AF 5477	Name WOTCZAK	Cell AC 5-4	Facility SCI-LAW	Date 5/2/02	Time 1:00
<input type="checkbox"/> Random Search <input type="checkbox"/> General Search <input type="checkbox"/> Investigative Search		Misconduct Report Prepared <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Comment: Ship At I/m Request	
Item(s) Confiscated		Disposition		Item(s) Confiscated	
1. Norelco Electric 217025MA				2.	
3. Broken (2) Blades With Case				4.	
5.				6.	
7.				8.	
9.				10.	
Signature and Title of Officer Confiscating the Item(s) <i>[Signature]</i>					
Signature and Title of Officer Disposing of the Item(s) <i>[Signature]</i>					

1. DC-15

2. Deputy Superintendent for Facilities Management

3. Inmate

DC-154A		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS			
No. A 416536		Confiscated Items Receipt (Inmate)			
DC-Number	Name	Cell	Facility	Date	Time
AF 5471	WOYTEZAK	AC 5-4	SCI-LAN	8/7/02	1000
<input checked="" type="checkbox"/> Random Search	Misconduct Report Prepared		Comment:		
<input checked="" type="checkbox"/> General Search	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Destroy At Inmate's Request		
<input checked="" type="checkbox"/> Investigative Search					
Item(s) Confiscated	Disposition	Item(s) Confiscated	Disposition		
1. 3 Socks Excess	D	2. 1 Lg Garbage BAG of	D		
3. 6 T-Shirts Excess	D	4. (mostly Items from			
5. 1 Long John Bottom	D	6. 1 Loose Razor Blade	D		
7. 9 Underware Excess	D	8.			
9. 2 Long John Shirts	D	10.			
Signature and Title of Officer Confiscating the Item(s)					
K. Cressley COT					
Signature and Title of Officer Disposing of the Item(s)					

DC-154A		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS			
No. A 481324		Confiscated Items Receipt (Inmate)			
DC-Number	Name	Cell	Facility	Date	Time
AF 5471	WOYTEZAK	DA 18-2	SCI-LAN	11-8-02	1010
<input checked="" type="checkbox"/> Random Search	Misconduct Report Prepared		Comment:		
<input checked="" type="checkbox"/> General Search	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Held for Disposition		
<input checked="" type="checkbox"/> Investigative Search	Security Cart. then Destroy				
Item(s) Confiscated	Disposition	Item(s) Confiscated	Disposition		
1. 28 Prisoner Issued	H	2.			
3. Prisoner from		4.			
5. SCI Huntington		6.			
7.		8.			
9.		10.			
Signature and Title of Officer Confiscating the Item(s)					
Brennan COT					
Signature and Title of Officer Disposing of the Item(s)					

1. DC-15

2. Deputy Superintendent for Facilities Management

3. Inmate

DC-154A

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

No. 838126 **18-2**

Confiscated Items Receipt (Inmate)

DC Number AF5977	Name WOJTCZAK Richard	Cell DA	Institution SCI-LAU	Date 12-10-02	Time 1:15 PM
<input type="checkbox"/> Random Search <input checked="" type="checkbox"/> General Search <input type="checkbox"/> Investigative Search		Misconduct Report Prepared Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Comment: Sent to Property	
Items Confiscated			Items Confiscated		
IEA. - TV Guide			Ship or Destroy		
Sweatshirt and					
CALENDAR					
Signature and Title of Officer			MA/Room Insp.		

DC-154A

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

No. A 481337

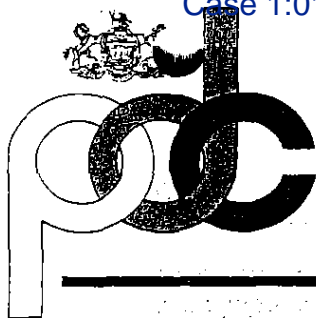
Confiscated Items Receipt (Inmate)

DC-Number AF5977	Name WOJTCZAK	Cell 1-1	Facility SCI LAU	Date 1/27/03	Time 0930
<input checked="" type="checkbox"/> Random Search <input type="checkbox"/> General Search <input type="checkbox"/> Investigative Search		Misconduct Report Prepared Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Comment: X Patrick [Signature]	
Item(s) Confiscated		Disposition		Item(s) Confiscated	
1. Empty shrimp bottle		destroy		2.	
3. empty potato chip bag		destroy		4.	
5. 4 Paper clips		destroy		6.	
7. Three empty cologne bottles		destroy		8.	
9.				10.	
Signature and Title of Officer Confiscating the Item(s) COE R J Maust					
Signature and Title of Officer Disposing of the Item(s)					

1. DC-15

2. Deputy Superintendent for Facilities Management

3. Inmate



PENNSYLVANIA DEPARTMENT OF CORRECTIONS
STATE CORRECTIONAL INSTITUTION
LAUREL HIGHLANDS

5706 Glades Pike
P.O. Box 631
Somerset, PA 15501-0631
Phone (814) 445-6501

Secretary
JEFFREY A. BEARD, Ph.D.

Deputy Secretary
for Administration
JOHN S. SHAFFER, Ph.D.

Superintendent
FREDRIC A. ROSEMEYER

October 25, 2002

John C. Thomas
Executive Assistant to the Secretary
Department of Corrections
P.O. Box 598
Camp Hill PA 17001-0598

RE: Richard Wojtczak, AF-5977

Dear Mr. Thomas:

This is in response to correspondence received concerning Richard Wojtczak.

Mr. Wojtczak is housed at SCI-Laurel Highlands in the Personal Care Unit because of his medical needs. There is nursing staff available 24 hours a day on this unit. As you know, this institution was designed specifically to provide the utmost care for inmates with various medical conditions. SCI-Laurel Highlands is a Level 2 facility and has a Long Term Care Unit and a Personal Care Unit.

In regard to Mr. Wojtczak's medical care, no treatment modalities have been discontinued, however, certain medications may have been changed due to recommendations from a specialist, or due to no improvement in his present condition, and/or Mr. Wojtczak's request. This information is documented in his medical record.

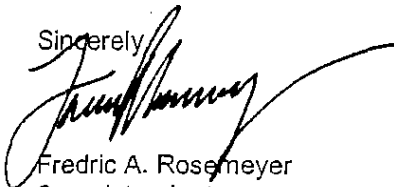
There is an outdoor courtyard for recreation available to inmates residing on the Personal Care Unit; Mr. Wojtczak does make use of this area.

Per Department of Corrections policy, all general population status inmates are to have a cell search at a minimum of twice per year. Our records indicate that Mr. Wojtczak's cube has been searched three times in 2002; none was in August.

Mr. Wojtczak has no restrictions for purchases in the commissary. According to our records, he purchases various items that total close to the \$45.00 limit each week.

If you need any additional information, please contact my assistant Betsy Nightingale at extension 1204. Thank-you.

Sincerely,


Fredric A. Rosemeyer
Superintendent

FAR:ban

cc: Deputy Hunsberger
Deputy Gates
Rev. Donald E. Moyer
File



"Our mission is to protect the public by confining persons committed to our custody in safe, secure facilities, and to provide opportunities for inmates to acquire the skills and values necessary to become productive law-abiding citizens; while respecting the rights of crime victims."

Executive Assistant to the Secretary
Pa. Dept. of Corrections
P. O. Box 578
Camp Hill, Pa. 17001-0578

Richard W. Harty, AF5977
SCI Laurel Highlands
5706 Glades Pike
P. O. Box 631
Somerset, Pa. 15501-0631
c/c

Richard
in Aug. 2002
No wife cells

Searches
Single Cell

Not Minimum
Security

Dear Mr. Thomas,

I have attached a copy of the letter Mr. Fredric A. Rosemeyer, Superintendent, SCI Laurel Highlands, wrote to you dated 10-25-02.

If I were a wise man I wouldn't waste your time, nor mine, writing this letter to you. Nonetheless, I do want the FACTS to be correct AND the Record to contain the TRUTH.

There is an issue of Credibility here, that is, who to believe? who is Credible, who is NOT?

I will acquaint you with the REAL FACTS with obvious proof, that will decide who is "Credible".

(1) The Pa. Dept. of Corrections has classified me as a Level 2, Minimum security inmate.

As per Mr. Donald Williamson, Coordinator/Diagnostic and Classification, Pa. D.O.C. at Camp Hill, Pa. - - -

(a) Level 2 inmates HAVE MORE PRIVILEGES than higher security inmates - - -

(b) Level 2 inmates Require Less Observation by staff.

(2) Mr. Rosemeyer states in his letter of 10-25-02, QUOTE - - - "OUR RECORDS indicate that Mr. Wozniak's CUBE has been SEARCHED THREE (3) times in 2002, NONE WAS IN AUGUST" - - -

I have attached hereto -

'RANDOM SEARCH' CONFISCATED ITEM RECEIPT DATED 8-7-02 - - -

my property searched 3 Times in AUGUST, staff & inmate witnesses -
*NO. A 416536 and *NO. A 458522 (found in SAME BED AC5-4)

"None was in AUGUST" - - - No Credibility

'RANDOM SEARCH' CONFISCATED ITEM RECEIPT DATED 11-8-02 - - -

*NO. A 481324

①

Ex
78

Various DA UNIT (18-2) --

DA UNIT SEARCHED EVERY DAY from 10-31-02 to 11-20-02 --
DA UNIT SEARCHED AGAIN ON 12-13-02 --

My Property searched June-July 2002 -- 2 Times

My Property Searched AUGUST 7, 2002 TO AUG. 13 -- 3 Times

My Property searched NOV. 8, 2002 -- 1 Time

My Property searched Dec. 13, 2002 -- 1 Time

SEARCHED 7 TIMES IN 2002, NOT 3!

all witnessed by STAFF and inmates!

MR. ROSENBERG DID NOT EXAMINE "OUR RECORDS"

very well. Again NO Credibility!

This is NOT illustrative of a Level 2,

MINIMUM SECURITY FACILITY -- where is

the "LESS RESTRICTIVE ENVIRONMENT" -- "LESS

DIRECT OBSERVATION BY STAFF" -- "MORE

PRIVILEGES"??

(Note: I was in the 'searched' on Account June-July-August AC 5-4 --
 I was in the 'searched' on DA UNIT AUGUST TO DEC. 2002 DA 18-2.

Also, while leaving the DINING HALL, 9-16-02 to 10-12-02,
1 MONTH, I was SEARCHED 19 TIMES.

This is NOT Minimum Security

"MINIMUM" -- smallest, least, lowest, narrowest, the smallest quantity
possible; the lowest degree or point reached. --
Webster's Dictionary -- New World.

As you can see, MR. ROSENBERG'S misrepresentations are
 meant to deceive and mislead you. Why?

(2)

In his letter Mr. Rosemeyer also mentions "an outdoor courtyard for recreation". This "yard" is VERY SMALL, it is enclosed on 4 sides, it measures 50ft X 50ft!!!

I guess he just forgot to tell you all this??

In this "courtyard" the "more open spaces" that the Pa. Dept. of Corrections STATES a Level 2, minimum security facility is suppose to HAVE?

As for my "Medical file", I ask you to examine the documentation and compare it to the TRUTH.

SCI Laurel/HIGHLANDS IS A WAREHOUSE just like ALL the other PRISONS in Penna. ARE WAREHOUSES. The so called "MEDICAL TREATMENT" is absolutely repulsive.

I attach the letter I received from Superintendent Rosemeyer dated 10-21-01. He states, and QUOTE -- "We do Not have SINGLE CELL HOUSING" -- (at SCI Laurel/HIGHLANDS)

ON DA UNIT THERE ARE

5 SINGLE CELLS - ROOMS - CUBES - AREAS -- THEY ARE 1-2-3-10-11!

Don't play SEMANTICS with WORDS -- "CELL - ROOM - CUBE - AREA" are "cells"!

I am I status, single cell, I require a SINGLE CELL. I have HAD A SINGLE CELL FOR 27 YEARS.

SCI Smithfield has a DOUBLE FENCE WITH RAZOR WIRE and is classified as a LEVEL 4, MAXIMUM SECURITY FACILITY.

SCI Laurel/HIGHLANDS has a DOUBLE FENCE WITH RAZOR WIRE and is classified as a LEVEL 2, MINIMUM SECURITY FACILITY.

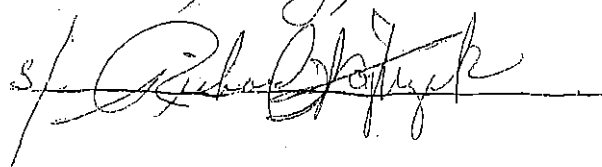
How can this be??

SCI Laurel/HIGHLANDS -- Does NOT have "a Less Restrictive Environment". Does NOT have "MORE PRIVILEGES" for Level 2 inmates. There is NOT "Less OBSERVATION OF INMATES BY STAFF". There are NOT "MORE OPEN SPACES FOR INMATES".

Putting BARS in windows at SCI Laurel/HIGHLANDS
apt. Oct. 2003
Level 2 ???

It is undeniable, sci Laurel Highlands is NOT a Level 2, MINIMUM SECURITY FACILITY.

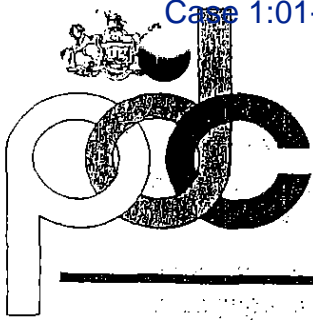
Therefore, I have "REQUESTED" from ALL the appropriate STAFF at sci Laurel Highlands AND Pa. Dept. of Corrections, to be TRANSFERRED to a Level 2, MINIMUM SECURITY FACILITY, (attached).

Sincerely,
S/ 

P.S.

Mr. Thomas,

Please send me the list of the "More Privileges" I am suppose to have as a Level 2, MINIMUM SECURITY INMATE.



PENNSYLVANIA DEPARTMENT OF CORRECTIONS
STATE CORRECTIONAL INSTITUTION
LAUREL HIGHLANDS

5706 Glades Pike
P.O. Box 631
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Secretary
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Superintendent
FREDRIC A. ROSEMEYER

October 25, 2002

John C. Thomas
Executive Assistant to the Secretary
Department of Corrections
P.O. Box 598
Camp Hill PA 17001-0598

RE: Richard Wojtczak, AF-5977

Dear Mr. Thomas:

This is in response to correspondence received concerning Richard Wojtczak.

Mr. Wojtczak is housed at SCI-Laurel Highlands in the Personal Care Unit because of his medical needs. There is nursing staff available 24 hours a day on this unit. As you know, this institution was designed specifically to provide the utmost care for inmates with various medical conditions. SCI-Laurel Highlands is a Level 2 facility and has a Long Term Care Unit and a Personal Care Unit.

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There is an outdoor courtyard for recreation available to inmates residing on the Personal Care Unit; Mr. Wojtczak does make use of this area.

Per Department of Corrections policy, all general population status inmates are to have a cell search at a minimum of twice per year. Our records indicate that Mr. Wojtczak's cube has been searched three times in 2002; none was in August.

Mr. Wojtczak has no restrictions for purchases in the commissary. According to our records, he purchases various items that total close to the \$45.00 limit each week.

If you need any additional information, please contact my assistant Betsy Nightingale at extension 1204. Thank-you.

Sincerely,

Fredric A. Rosemeyer
Fredric A. Rosemeyer
Superintendent

FAR:ban

cc: Deputy Hunsberger
Deputy Gates
Rev. Donald E. Moyer
File



"Our mission is to protect the public by confining persons committed to our custody in safe, secure facilities, and to provide opportunities for inmates to acquire the skills and values necessary to become productive law-abiding citizens; while respecting the rights of crime victims."

DC-15A		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS			
No. A 416536		Confiscated Items Receipt (Inmate)			
DC-Number	Name	Cell	Facility	Date	Time
DC-15A	Wright, Eric	AC 541	SCS-LAU	8/7/02	1000
<input type="checkbox"/> Random Search <input type="checkbox"/> General Search <input type="checkbox"/> Investigative Search		Misconduct Report Prepared <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Comment: Destroy At Inmate's Request	
Item(s) Confiscated		Disposition		Item(s) Confiscated	
1. (1) Lg Garbage Bag of		D		2. (1) Lg Garbage Bag of	
3. (1) Lg Garbage Bag of		D		4. (mostly Items from 1st meal tray)	
5. (1) Lg Garbage Bag of		D		6. (1) Loose Razor Blade	
7. (1) Lg Garbage Bag of		D		8.	
9. (1) Lg Garbage Bag of		D		10. (1) Lg Garbage Bag of	
Signature and Title of Officer Confiscating the Item(s) [Signature]					
Signature and Title of Officer Disposing of the Item(s) [Signature]					

1. DC-15

2. Deputy Superintendent for Facilities Management

3. Inmate

DC-154A		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS			
No. A 458522		Confiscated Items Receipt (Inmate)			
DC-Number	Name	Cell	Facility	Date	Time
DC-154A	Wright, Eric	AC 541	SCS-LAU	8/7/02	1000
<input type="checkbox"/> Random Search <input type="checkbox"/> General Search <input type="checkbox"/> Investigative Search		Misconduct Report Prepared <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Comment: Ship At Inmate's Request	
Item(s) Confiscated		Disposition		Item(s) Confiscated	
1. (1) Onalco Electric Razor		D		2.	
3. (1) Broken Do Blade		D		4.	
5.		D		6.	
7.		D		8.	
9.		D		10.	
Signature and Title of Officer Confiscating the Item(s) [Signature]					
Signature and Title of Officer Disposing of the Item(s) [Signature]					

1. DC-15

2. Deputy Superintendent for Facilities Management

3. Inmate

154A

No. 838126

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

18-2

Confiscated Items Receipt (Inmate)

DC Number AF5977	Name WOJTCZAK Richard.	Cell DA	Institution SCI-LAN	Date 12-10-02	Time 1:15 pm
<input type="checkbox"/> Random Search <input checked="" type="checkbox"/> General Search <input type="checkbox"/> Investigative Search		Misconduct Report Prepared Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Comment: sent to Property	
Items Confiscated			Items Confiscated		
2 EA. - TV Guide			Ship or Destroy		
Sweatshirt and					
CALENDAR					
Signature and Title of Officer			[Signature] Mail Room Insp.		

1. DC-15 2. Deputy Superintendent for Operations 3. Inmate

DC-154A

No. A 481324

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

Confiscated Items Receipt (Inmate)


DC-Number AF5977	Name WOJTCZAK	Cell DA 18-2	Facility SCI-LAN	Date 11-14-02	Time 10:10
<input checked="" type="checkbox"/> Random Search <input type="checkbox"/> General Search <input type="checkbox"/> Investigative Search		Misconduct Report Prepared Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Comment: held for disposition security chrt. for EPP request	
Item(s) Confiscated		Disposition		Item(s) Confiscated	
1. 28 Prisoner's Issues		H		2.	
mail out with Model				4.	
3. PASSER FROM				6.	
SCI Handwritten				8.	
5.				10.	
7.				1-8-02	
9.					
Signature and Title of Officer Confiscating the Item(s)					
[Signature] Prisoner's CCI					
Signature and Title of Officer Disposing of the Item(s)					

1. DC-15 2. Deputy Superintendent for Operations 3. Inmate

COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
SCI-Laurel Highlands
October 24, 2001 (10)

SUBJECT: Inmate Letter

TO: Richard Wojtczak, AF-5977
SCI-Huntingdon
1100 Pike Street
Huntingdon PA 16654-1112

FROM: 
Fredric A. Rosemeyer
Superintendent

I am in receipt of your letter dated October 16, 2001.

SCI-Laurel Highlands is a level 2 facility with dormitory housing. We do not have single ~~XX~~ ^{Lie} cell housing. We provide care for inmates with special needs such as long term care, ~~XX~~ wheelchair, dialysis and geriatric inmates. ~~XXXXXXXXXX~~

You may initiate a transfer through your counselor and your unit manager.

FAR:ban

cc: File

one of my "SPECIALNEEDS" is - I MUST
have a SINGLE CELL (no inmates in cell with me)
2 status in single cell!

P E N N S Y L V A N I A ' S S T A T E D E P A R T M E N T O F
C O R R E C T I O N S

SEPT. 23, 02

A D M I N I S T R A T O R ' S

Mr. Jeffery A. Beard, PHD.,
Executive Deputy Secretary
Pennsylvania's Dept. Of Corrections
Penna., Dept., Of Corrections
P.O. Box 598
Camp Hill, Pa., 17001-0598

Mr. Fredric A. Rosemeyer
Superintendent
S.C.I. Laurel Highlands
Somerset, Pa., 15501-0631

Mr. John Paul
Classification & Program Manager
S.C.I. LAUREL HIGHLANDS
5706 GLADES PIKE
SOMERSET, PA., 15501-0631

Mr. Donald Williamson
Coordia., Diagnostic & Classification
Bureau Of Inmate Services
Penna., Dept., Of Corrections
P.O. Box 598
Camp Hill, Pa., 17001-0598

Ms. Mardi Hunsburger
Deputy Superintendent
S.C.I. Laurel Highlands
Somerset Pa., 15501-0631

KOWALEWSKI
Ms Annette Kowolewski
Corrections Hlth., Care Admin.,
S.C.I. LAUREL HIGHLANDS
5706 GLADES PIKE
SOMERSET, PA., 15501-0631

FROM.....Richard WojtczakInmate ..AF-5977

S.C.I. LAUREL HIGHLANDS
5706 GLADES PIKE
SOMERSET, PA., 15501-0631
B-A BLOCK

FROM THE FOLLOWING FACTS, IT IS OBVIOUS THAT S.C.I. LAUREL HIGHLANDS IS NOT A
MINIMUM SECURITY FACILITY:

FROM 05-21-02, To 08-31-02, Just A Three (3) Month Period, S.C.I. Laurel Highlands,
Subjected Me To The Following:

- (A) STOPPED MEDICATION TREATMENT THAT: "I Was Taking For Long Standing Chronic Med-
Medical Problems (Cyston Scalp-Sinus-Acid Reflux, Hiatel Hernia-Prostate Causing
Me Pain And Suffering)"
- (B) STOPPED TREATMENT "I Was Receiving For Degenerating Bone Disease In Both Knees,
Hips, Disc In Spine For Over A Year In S.C.I.'s Huntington And Smithfield; I
Cannot Walk, I Require A Wheel-Chair. (Causing Me Pain And Suffering)
- (C) STOPPED TREATMENT: That I Was Receiving For Eye Problems From An Eye Special-
ist, A Qualified Licensed OPTHOMOLOGIST, (Causing Me Pain And Suffering)
- (D) DENYING ME OUTDOOR RECREATION.....Yard;
- (E) DENY MEPurchasing Items From The Commissary;
- (F) PROPERTY SEARCHESThree (3) Times In A Week: 08-07-02, To 08-13-02....This
IS NOT A SEARCH FOR CONTRABAND...It Is PURE HARRASSMENT And ATTEMPTED INTIMIDATION
And BULLY SCARE TACTICS By GUARDS: K. CRISSEY, RITCHENOUR (Sic) URBAN; I Was Also
THREATENED By The Guards"; I Took This Problem To C.O. SHAPPER; LT., TURNER
CAPT., HILES; The Guards Behavior Was Totally Unpro fessional .;
- (G) EVEN THOUGH, I'M IN A WHEELCHAIR AND A LEVEL TWO (2) INMATE:
When I'm Taken Outside The Prison (To A Doctor Etc.,) I'm Handcuffed With The
"BLACK BOX" CHAINS AND LEG IRONS (Causing Me Pain And Suffering).

(F) my property was ALSO SEARCHED TWICE in June 2002 while I was on AC Block.
in 3 MONTHS (MAY To AUGUST 2002) my PROPERTY SEARCHED
5 Times !!

Re: Inmate Richard Wojteczak, Official Request To Be Immediately Transferred To A
Level Two (2) Minimum Security Facility.....

The Pennsylvania Department Of Corrections (D O C) Has Classified Me As A Level
Two (2), Minimum Security Inmate; I'm Not A Security Risk. A Custody Level (2)
(Minimum Security Inmate), Is One Who Demonstrates Patterns Of Non-Aggressive Be-
havior:

1. By Their Behavior And Record They, Require Less Observation By The Staff;
2. Security Level Two (2), Facilities Have A Less Restrictive Inviorment;
3. Security Level Two (2) Facilities Have Less Restriction Of Activities;
4. As A Custody Level Two (2) Case, You Have More Privileges Than Higher Custody
 Level Inmates....(What Are The More Privileges ?).

THESE ARE THE CRITERIA SET FORTH BY THE PENNSYLVANIA DEPARTMENT OF CORRECTIONS
 (D O C) AS PER MR. DONALD WILLIAMSON

Coordinator - Diagnostic And Classification,

Bureau Of Inmate Services

P.O. BOX 598

Camp Hill, Pa., 17001-0598 Telephone..(717) 975-4859,

Describing Level (2) Minimum Security.

I'm Presently Housed At S.C.I. Laurel Highlands....Somerset, Pa.,...S.C.I. Laurel-
 Highlands Does Not Meet The Above Mentioned Criteria, For A Level Two (2) Minimum
Security Facility. And Is Therefore, Not Minimum Security.

I'm Formally Requesting In Writing (AGAIN), To Be Immediately Transferred To A
Level Two (2) Minimum Security Facility.

IT IS OBVIOUS, FROM THESE FACTS, AS A LEVEL TWO (2) MINIMUM SECURITY INMATE HERE AT S.C.I. LAUREL HIGHLANDS:

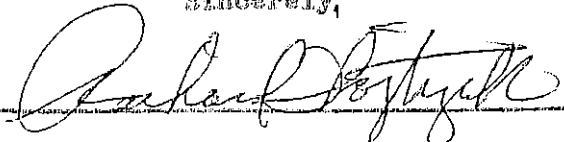
- (1) I DO NOT Receive....LESS OBSERVATION BY THE STAFF;
- (2) I AM NOT IN A LESS....RESTRICTED INVIORMENT
- (3) I DO NOT HAVE.....LESS RESTRICTIONS ON ACTIVITIES
- (4) I DO NOT HAVE.....MORE PRIVILEGES....Than Higher Custody Level Inmates;

MY HAVING TO USE A WHEELCHAIR, BECAUSE OF MY DISABLING BONE DISEASE (CAN NOT WALK) Does Not NEGATE The Rights And More Privileges I Am To Receive As A LEVEL 2 Minimum Security Inmate, As Per Mr. Donald Williamson, Penna. Dept Of Corrections (DOC), SUPRA, .

PRUS: The Above Is Without Applying The AMERICANS WITH DISABILITIES ACT OF 1992, REHABILITATION ACT 1973, To My Situation.....THESE FEDERAL LAWS DO APPLY To The PENNSYLVANIA DEPARTMENT OF CORRECTIONS (DOC) AT S.C.I. LAUREL HIGHLANDS

I Am Again Requesting To
Be Immediately Transferred
To A Level Two (2), Minimum Security
Facility.

Sincerely,



series on growing old in prison

Managing the Twilight Years

Prison Specializes in Treating the Elderly and Disabled

by Becky Beane

A few months ago a Pennsylvania prisoner died suddenly in the middle of his dialysis treatment. Patients hooked up to the other eight dialysis machines watched in shock as medical staff rushed in to try to revive him—with no success. Some of the onlookers started to weep, a rare display of feelings for prisoners. And almost immediately, prison counselors and chaplains arrived to offer comfort and presence.

"This is a prison of compassion," describes Fredrick Rosemeyer, superintendent of the State Correctional Institution at Laurel Highlands. It's also a respected pioneer in the specialized care of elderly and severely disabled prisoners.

Laurel Highlands opened in July 1990, converted from a state mental hospital in Somerset, southeast of Pittsburgh. Most of the hospital nursing staff stayed on, equipped with several weeks of instruction from the corrections training academy and on-the-job experience at other prison facilities. Rosemeyer praises their excellent professionalism and caring attitudes.

Jan Kowalewski, a registered nurse, says, "We don't have access to the men's criminal jackets; these charts are strictly medical charts. We treat them as we would in any hospital, regardless of what they've done."

But Rosemeyer reminds them not to forget that this is a prison, with strict security requirements. Staff must account for every needle, every drug, and piece of equipment. Serious disciplinary problems can lead to a prisoner's solitary lockdown.

But that seldom happens. Even in the general population unit (Laurel Highlands also houses younger prisoners, who do much of the physical labor), the older

inmates "are more subdued," says Deputy James Henderson. "They have a stabilizing effect on the younger population."

Expected to house 1,300 prisoners when the renovations are completed, Laurel Highlands now holds about 350.

To help ease the bleakness, every prisoner receives a personal treatment plan, designed and reviewed every 90 days by a team of educational, medical, psychological, chaplaincy, and activities staff. For some "it's a plan to make parole," explains Deputy Superintendent David Pitkins. For others "it's a plan to make it through each day. We don't want them to just sit in a room and die."

The prison's medical facilities are state of the art, and highly cost-effective. Without the dialysis unit, for example, up to 40 prisoners with kidney problems would have to be transported—under guard—to the local hospital for treatments three times every week. Treating the patients right there in prison saves Pennsylvania taxpayers millions of dollars in medical, transportation, and security costs.

Laurel Highlands—like a growing number of prisons—also takes advantage of tele-med, closed circuit TVs that allow interaction between the prisoner-patient and doctors at participating hospitals.

Medical staff offer some unique resources to help disabled inmates become more independent. A long-handled instrument with clamps at one end (plastic so it can't be used as a weapon) enables arthritic inmates



Mike Ellison

to put on their socks. Strips of wide elastic allow them to exercise arm muscles in place of weights. Some come for "hot wax" treatments to soothe and revive crippled joints.

A crew of chaplains helps soothe and revive crippled spirits. Says head chaplain Elizabeth Scott: "We would do [for inmates] a disservice if we were not able to help them see themselves with value and worth—as God sees them." □

Lies-PROPAGANDA

(4)

Graterford

Doc. Need 6 copies of this

It is time to mend relationships we destroyed, and the NAACP is a step in the right direction. It is one of few organizations concerned about prisoners and allowing them to be members. It is trying to unite prisoners' families; improve our communities; improve our living conditions in prison; and educate us about the importance of voting. So I encourage prisoners to support the NAACP through their presence, ideas, participation, time, and donations. To start an NAACP branch or to assist the NAACP in accomplishing its goals, contact Darnell Drinks, President, NAACP Graterford Branch, P.O. Box 2444, Graterford, PA 19426.

Aaron Christopher Wheeler BZ-2590, SCI-Graterford

As always, thank you for the wonderful job you are doing, not only to inform, but also to give all of us a place to voice our opinion, ideas, and complaints.

Anthony Yang AS-3910, SCI-Somerset

With construction nearing completion, SCI-Laurel Highlands soon will accept more prisoners. They will be asked to come here to work or to get closer to home. Think twice about coming here! We are treated like level 5 prisoners, subject to search at each meal and shake-downs by the team from hell. Intimidation, scare tactics, and threats are normal. Kitchen workers are forced to stay at work for the full 8 hours, even if not working and are not allowed the simplest reading material. Retaliation is immediate for any argument or questioning of orders. This is a work camp. You work or ship out. Our recreation dept. is worthless.

I witnessed nurses mistreating the elderly. The law library is inadequate. A double perimeter fence with high tech sensors surrounds our yard, and a roving vehicle drives around in circles 24-7, but the slightest bit of fog cancels yard. The moment you try to file something, you are harassed or shipped far from home. Think twice about coming here, it's no way to do time!

Name withheld by editor, SCI-Laurel Highlands

I lost my father, 79, unexpectedly this spring. He and Mom stood by me my whole life - even during the last 19 years in prison. I will always treasure the time we shared together, which now seems too short. I was unable to go to the funeral - not because of money, but because of policy. Since Dad died on a Saturday, no one could be notified until Monday, and then the sheriff wanted \$1,700 by 4 p.m. Monday. Also because they were not notified until Monday, the sheriff said there was no time to plan for my trip to the funeral home because I'm so far away.

However, what the sheriff would have done wasn't worth any money. He would have given me a night in the county jail and some time (handcuffed) alone with my Dad only - no family, no time at the cemetery, nothing. They did not consider I have been in jail for 19 years, and am maxing out in a year, or that this summer I should be in a halfway house this summer (post-minimum pre-release).

While I'm not mad or bitter, I am sad that the sheriff has no plans in place for this need - particularly, no weekend phone number. Something must change. Since no one knows when they will die, the system must change. Change also is needed, because longer sentences make it more likely close family death will enter a prisoner's life. At such a time we should be allowed to grieve and heal with family.

William Thomas Skinner AM-8585, SCI-Waymart

I hope to find others in my situation. In 1996 I committed a homicide due to a violent reaction on Prozac, an anti-depressant. Because of lack of research at the time, I

was advised to plead guilty to murder-three. However, since my incarceration I found numerous studies and books on the dangers of anti-depressants such as Prozac, Zoloft, Paxil, and Welbutrin. These studies concluded suicide and violence can be caused by these medications especially in Manic Depressed people. One of the shooters at Columbine High School was on an anti-depressant. If you too have had a similar reaction to one of these drugs or have information to help me please contact me to exchange information.

Kurt Danysh DL-4879, SCI-Frackville

Here, about 1100 prisoners get a haircut about every 28 days. Also, 60 staff members get haircuts twice a month. Imagine 120 monthly haircuts given while "on the clock" at a street value of about \$10. That is \$14,400 a year. Now consider six barbers being paid 42-cents/hour for six hours/day, or about \$50.00/month (\$3,600/year). This is not fair! It's involuntary servitude. Though incarcerated, we barbers still must maintain our state license and fees, as well as other barbering items. In a community the size of this prison a barber sure could use that \$14,400 to feed and clothe a child. We should not give such a financial break to someone who earns three or more times minimum wage as starting pay! Wake up, society! This is criminal.

Name withheld by editor, SRCF-Mercer

I'm not a very religious person, but I believe there's a God. Last spring, I listened to a sermon by Bishop David Evans. I can only describe it as being electrifying. I recently learned he is on the radio every Sunday at 7:00 a.m. on 91.3 FM, and 9:00 a.m. on 990 AM on Sunday, and live at noon on 1110 AM. I was once told that when you receive something good pass it on.

Kevin Everett BF-3380, SCI-Graterford

HUGS

by Jeannette Branham #28388, Corona, CA

It is wondrous what a hug can do.
A hug can cheer you up when you are blue.
A hug can say "I love you so" or
"Gee, I hate to see you go."
A hug is "Welcome back again" and
"Great to see you, where have you been?"

A hug can soothe a small child's pain,
And bring a rainbow after rain.
The hug, there is just no doubt about it.
We could scarcely live without it.
A hug delights and warms and charms,
It must be why God gave us arms.

Hugs are great for fathers and mothers.
Sweet for sisters, swell for brothers.
And chances are your favorite aunts,
Love them more than potted plants.
Kittens crave them, puppies love them.
Heads of state are not above them.

A hug can break the language barrier,
And make your travels so much merrier
No need to fret about your store of 'em.
The more you give, the more there's more of 'em.
So stretch those arms without delay,
And give someone a big hug today.

See attached List

Searches
etc.

Richard Kitzys AF5977
Sci Laurel Highlands
5706 Glades Pike
P.O. Box 631
Somerset, Pa. 15501-0631
by certificate of mailing
c/c

When the reality, of the operations of the State
Correctional Institution at Laurel Highlands, which is
reported to be a Security CUSTODY Level 2, MINIMUM
SECURITY FACILITY, is compared to the CRITERIA of a Level
2, MINIMUM SECURITY FACILITY -- PUBLISHED by the Pa. Dept.
of Corrections; Sci Laurel Highlands is NOT a Security
CUSTODY Level 2, MINIMUM SECURITY FACILITY!

I am AGAIN requesting to be
TRANSFERRED to a Level 2, MINIMUM
SECURITY FACILITY. I have been to ALL
the STAFF AT Sci Laurel Highlands AND
at the Doc Campbell, Pa. -- With No
RESULTS!

I have been classified by the Pa. Dept. of Corrections
as a SECURITY Level 2, MINIMUM SECURITY INMATE ---
as designated by the Pa. D.O.C. ---

- ① I have demonstrated patterns of NON-AGGRESSIVE behaviour ---
- ② By my behaviour AND RECORD I require LESS DIRECT OBSERVATION
by STAFF ---

③ ~~more~~ more privileges than higher security Level inmates.

I am NOT a Security Risk!

The Pa. Dept. of Corrections has classified their Level 2, MINIMUM security FACILITIES -- AS FOLLOWS --

- ① a Less Restrictive ENVIRONMENT --
- ② MORE OPEN SPACES --
- ③ Less Restriction on Activities --

Webster's, New Word Dictionary -- "MINIMUM" = smallest, least, lowest, narrowest, the smallest quantity possible; the lowest degree or point reached ...

sci Laurel/HIGHLANDS has a DOUBLE Fence with RAZOR WIRE and is 'classified' as a Level 2, MINIMUM security FACILITY --
 sci Smithfield has a DOUBLE Fence with RAZOR WIRE and is 'classified' as a Level 4, MAXIMUM security FACILITY --
 How can they be the same?? Prison windows at sci Laurel/HIGHLANDS Sept, Oct, 2003

It should Also be Noted:

Different security custody Level inmates CAN NOT be mixed ^{or} together in the SAME FACILITY! i.e. -- Level 2, MINIMUM security INMATES mixed in with Levels 3-4-5 MAXIMUM security INMATES -- the Level 2 inmates are then treated like MAXIMUM security INMATES - Level 2, MINIMUM security INMATES LOSE ALL their Level 2 "PRIVILEGES"!! (whatever they are?)

Facility personnel are NOT TRAINED in the treatment -
 handling of Level 2, MINIMUM SECURITY INMATES -
 to the detriment of the inmate, AND to the detriment
 in the operation of the facility!

FACTS: supported by documentation (attached) and by STAFF witnesses,
 and inmate witnesses - - -

SEARCHES OF MY PROPERTY from FEB. 2002 To JAN. 2003
11 MONTHS

- 1 Time when I LEFT sci/Huntingdon To sci/Smithfield - - Feb. 2002
- 1 Time when I ARRIVED at sci/Smithfield From sci/Huntingdon - - Feb. 2002
- 1 Time while AT Smithfield - - March 2002
- 1 Time when I LEFT Smithfield to sci Laurel Highlands - - May 21, 2002
- 1 Time when I ARRIVED at ~~Smithfield~~ at sci Laurel Highlands -
~~Smithfield~~ From sci/Smithfield - - May 21, 2002
- 2 Times at sci Laurel Highlands, JUNE 18, 2002, JULY 2002 on AC Unit Bed 5-1
- 3 Times at sci Laurel Highlands, AUG 7, 2002 To AUG 13, 2002 on AC Unit Bed 5-4
- 1 Time at sci Laurel Highlands NOV. 8, 2002 on DA unit Bed 18-2
- 1 Time at sci Laurel Highlands DEC 10, 2002 on DA unit Bed 18-2
- 1 Time at sci Laurel Highlands JAN. 23, 2003 on DA unit Bed 1-1
- 1 Time AT sci Laurel Highlands JAN. 27, 2003 on DA unit Bed 1-1
- 1 Time at sci Laurel Highlands DEC 13, 2002 on DA unit Bed 18-2

15 SEARCHES in 11 MONTHS !!!

also searched

11-8-02 12-13-02 1-23-03 4-26-03
 12-8-02 1-21-03 1-27-03 9-6-03

IN ADDITION to the 15 Property-cell Searches
at Laurel Highlands from 9-16-02 To 10-12-02 (1 MONTH),
I was SEARCHED 19 Times when I left dining
Hall after I ate! 19 Times

I have been SEARCHED 34 Times ~~in~~
11 MONTHS !!!

and I am supposed to be a Level 2 MINIMUM SECURITY
INMATE, at ~~a~~ Level 2 MINIMUM SECURITY FACILITY!

I was moved to DA unit on 9-12-02.
The 'Search Team' has 'searched' DA UNIT (Since 9-12-02) ---
Sept. 2002; Oct. 2002; Nov. 2002; Dec. 2002; JAN. 2003.
(5 MONTHS)

SCI Laurel/Highlands and Pa. D.O.C. SAY there are 'random'
searches - that they 'SEARCH' by BED NUMBER NOT the
'INMATE'. Doc policy is to have a 'cell search (property)' at a
MINIMUM OF TWICE PER YEAR inmate (Rosenberger 10-25-02).

The FACTS SHOW my property-cell searched at SCI Laurel/Highlands
FROM May 21, 2002 to Jan. 2003 = 8 MONTH PERIOD - - - -

11 TIMES ! 5-21-02 = 1; June-July 2002 on A Unit BED 5-4 = 2 Times;
Aug 7 & Aug 13, 2002 on A Unit BED 5-4 = 3 Times; Nov 8, 2002 on DA
Unit BED 18-2; Dec. 10, 2002 on DA Unit BED 18-2; Dec. 13, 2002 DA
Unit BED 18-2; Jan. 23, 2003 DA Unit BED 1-1; Jan 27, 2003 DA
Unit BED 1-1 = 11 Times in a "1 YEAR PERIOD of Time" - -

ALSO

-- when you look at the "DATES" of these 'searches'
 I AM BEING SEARCHED EVERY MONTH!
 (this is NOT a 'minimum of twice per year (12 month period)')
 This is NOT "RANDOM SEARCH BY BED NUMBER" ----

---- This is NOT a 'Less Restrictive Environment' of a Level
 2, Minimum Security Facility ----

--- This is NOT 'Less Observation by Staff' of a Level 2,
Minimum Security Facility ----

-- This is NOT the "More Privileges" of a Level 2, INMATE

--- The 50ft x 50ft 'court yard' for outdoor recreation is
NOT 'the more open spaces' of a Level 2, Minimum
 Security Facility ----

Despite the Repeated 'claims and observations' by the Pac.
 D.O.C. and SCI Laurel/Highlands, that SCI Laurel/Highlands
 is a Level 2, Minimum Security, the FACTS belie this
 rhetoric.

SCI Laurel/Highlands is NOT operated as a Minimum
 Security Facility --- you can't talk the world into being FLAT,
 when the Reality is, the world is Round,

Being classified as a Level 2,
Minimum Security Inmate

I am AGAIN Requesting to be
Transferred to a Level 2,
Minimum Security Facility.

Medical Care - Treatment (Sci Laurel/Highlands) ---

As can be seen by the attached letters, articles, documents, the Pa. D.O.C. PRETENDS that Sci Laurel/Highlands is designed specifically to provide the utmost care, specialized care, of elderly and disabled prisoners.

The following FACTS, which can be PROVEN with documents, my medical files, inmate and staff witnesses -- reveal that the Medical Care - Treatment at Sci Laurel/Highlands is far below acceptable, minimal medical standards.

Along with other medical difficulties, I have --

- ① degenerating bone disease of the knees, hips, disc in spine --
- ② Chronic cyst condition on scalp - face - other areas -- ③
- Hiatal/Hernia - acid Reflux Disease.

① Degenerating Bone Disease, this Chronic - painful condition now has me confined to a wheelchair.

While I was housed at Sci Huntingdon AND Sci Smithfield, (prior to being Transferred to Sci Laurel/Highlands) FOR OVER 1 YEAR I received GLUCOSAMINE (by Dr. Kimber, medical director at Sci Huntingdon).

This GLUCOSAMINE MUST BE TAKEN LONG TERM TO BE EFFECTIVE. The GLUCOSAMINE DID START TO WORK!

When I was Transferred to Sci Laurel/Highlands on 5-21-02 (from Sci Smithfield) the GLUCOSAMINE was immediately STOPPED - DISCONTINUED BY --

Dr. JAWAD Salameh medical director; Physician's Assistant's

ELLI'S KAUFMAN, JEFF TURGEON!

I was 'told' - - "we can't get that"! I told Dr. JAWAD Solameh, Kaufman, Turgeon to contact Sci/Kentigdon - SciSmithfull and the Doc at Cayhill AND FIND OUT How THEY GOT THE GLUCOSAMINE for me "overriding the Doc" formulary" for drugs", and do what they did!

I Received NO Response.

The Relief I received from the GLUCOSAMINE has now disappeared in the 9 MONTHS it was stopped!

The Severe Pain and Suffering has now returned!

Solameh, Kaufman, Turgeon have caused me severe pain and suffering intentionally! Deliberate indifference to my suffering - - NEGLIGENCE.

"Regular Tylenol" 3x day gives Very Little Relief (some days No Relief at ALL)!

② Cyst condition, Scalp - Face - - - this chronic condition can not be cured. It can Only be PROPERLY TREATED to keep the Cysts under Control. Not properly Treated the Cysts SCAR • SCAR scalp AND SCAR FACE. Not properly Treated Cysts get large, bleed and are extremely Painful.

After seeing Dr. Wingert, a specialist in dermatology, and years of "trial and error" of different types of treatment it was discovered the PROPER TREATMENT FOR THE CYSTS THAT WORKS is - - - - -

① Shave scalp with ELECTRIC RAZOR . . . ② Apply Cleocin-T to cysts . . . ③ When cysts get out of control . . . ④ Take ANTIBIOTIC KEFLEX, 500mg 3x day for 20 days (or longer).
XXX This 3 Part TREATMENT HAS PROVEN
TO WORK on this cyst condition!
This is well documented in my
PRISON MEDICAL FILES!

I have had an ELECTRIC RAZOR (which I purchased) for approx. 20 years (for cyst problem) . . . In FEB 2002 my ELECTRIC RAZOR broke, AFTER NUMEROUS ARGUMENTS here at Sci Laurel/Highlands, AND DISPUTE the Medical Approval for RAZOR from the D.O.C. at Camp/Hell - Dr. Brad Ambur - Sci Laurel/Highlands Refused to allow me to PURCHASE A REPLACEMENT ELECTRIC RAZOR AND CONFISCATED my old RAZOR so I could not get it repaired! I finally Purchased a New RAZOR 10-1-02 - 8 MONTHS WITHOUT PROPER TREATMENT FOR CYSTS.

WITHOUT TREATMENT I BROKE OUT in very large and painful cysts - they SCARRED MY SCALP AND SCARRED MY FACE! causing me SEVERE PAIN AND SUFFERING!

I then could shave my scalp but I did NOT resume the Cleocin-T and Keflex antibiotic. Cysts still out of control.

On 12-10-02 I received DOXYCLINE 100mg 2x day for replacement for KEFLEX . . . DOXYCLINE DID NOT WORK!

Finally on 1-10-03 I received Cleocin-T BUT STILL NO KEFLEX antibiotic.

Without the 3 PART TREATMENT (shave scalp; apply Cleocin-T; Take Keflex antibiotic) cysts are still

Very Bad (as of 2-19-03).

I have repeated this Cryst situation to Dr. Jawad Salameh; Ellis Kaufman; Jeff Turgeon --- I was TOLD ---

"you don't tell us what to do"!

They have caused me severe Pain and Suffering --- Intentionally! Deliberate indifference to my suffering, Negligence! And Causing my Scalp and FACE to be scarred.

③ Hiatal Hernia - Acid Reflux disease --- I was taking PRILosec (sic) for this very painful Condition.

The PRILosec (sic) was STOPPED - Discontinued and I was placed on PROTONIX, which gives very little relief.

On PROTONIX I now have stomach pain AND diarrhea for the last 9 MONTHS.

Dr. Jawad Salameh, Ellis Kaufman, Jeff Turgeon have refused to put me back on PRILosec (sic) --- this is Deliberate indifference to my suffering, it is Intentional Negligence causing me pain and suffering.

I direct your attention now to the attached article concerning Sci Laurel Highlands -- "Managing the Twilight Years" --- Contrary to the PROPAGANDA - PUBLICITY, Sci Laurel Highlands --- is NOT A PRISON OF COMPASSION ---

--- NOT ALL THE STAFF HAVE PROFESSIONALISM AND CARING ATTITUDE ---

--- WE ARE NOT TREATED AS we would in ANY HOSPITAL ---

--- THE PRISON'S MEDICAL FACILITIES ARE NOT STATE OF THE ART ---

--- Sci Laurel/HIGHLANDS IS NOT a respected pioneer in the SPECIALIZED CARE of ELDERLY and DISABLED PRISONERS.

--- Also, the "Article from Waterfronts" (attached) about Sci Laurel/HIGHLANDS IS TRUE ---

This is just a 'tiny glimpse' past the MAZE OF MIRRORS the DOC and Sci Laurel/HIGHLANDS uses.

Come here, Talk to the INMATES,
Especially Aunit and Dunit!

They can push an inmate into the day room for a "fire drill" --- yet they can't push him OUTSIDE FOR SOME FRESH AIR AND SUNSHINE. So this INMATE, is on his back - IN A BED - HASN'T been OUTSIDE for YEARS.

"Compassion"? "PROFESSIONALISM"?
"caring attitude"? "STATE OF THE ART"?
"respected pioneer"? "SPECIALIZED CARE"?
Where?

All of this is just the tip of the iceberg here at Sci Laurel/HIGHLANDS and the Pa. Dept of Corrections. Sci Laurel/HIGHLANDS IS NOT/HAS NOT been in compliance with Rehabilitation Act/Americans with Disabilities Act - since it "opened in 1996" (7 years) - And the Pa. D.O.C. has Never been in compliance with the Rehabilitation Act/American with Disabilities Act | Yet the DOC and Laurel/HIGHLANDS CONTINUE to RECEIVE FEDERAL FINANCIAL ASSISTANCE -

FEDERAL FUNDING — How can the Pa. D.O.C. and Sci
Laurel/Highlands VIOLATE FEDERAL LAW AND STILL
RECEIVE FEDERAL FUNDING ???

I have written to EVERYONE within the Pa. Dept.
of Corrections concerning these issues AND I have written to
individuals OUTSIDE the Pa. Dept. of Corrections concerning
these issues - - - -

... ALL I Receive are DENIALS, LIES, and everything is
just fine; meaningless RHETORIC, NOTHING is done to
correct all the problems! ALL TALK, NO ACTIONS!!

To bring this segment to a close, I would just add a
sprinkling of bits of information (in addition) that EVERYONE,
and I do mean EVERYONE will NOT look into - discuss!!

1. I have been at Sci Laurel/Highlands since 5-21-02
(9 MONTHS) and I have NOT received a HOT
MEAL YET - - -

2. Sci Laurel/Highlands, allegedly, a Minimum Security Facility,
tries to 'excuse' 'all the SEARCHES' by saying - they
'don't have all the violence and assaults by inmates
as other prisons because they 'continuously' SEARCH
the prison.

At first 'impression' - 'blush' this reasoning would seem
to be True - - - However it is NOT.

The real TRUTH, is not far away, it is found in the Pa. Dept. of Corrections' Criteria for a Custody Level 2, Minimum security inmate

- "the inmate's RECORDED BEHAVIOUR have DEMONSTRATED
- "patterns of NON-AGGRESSIVE BEHAVIOUR ---
- "inmate requires LESS DIRECT OBSERVATION BY STAFF ---"
- "inmate NOT A SECURITY RISK ---"

Supplementary to this, the inmates here at Sci Laurel Highlands are getting close to parole or completing their sentences. In other words, they are very close to getting out of prison! They are NOT going to risk getting out of prison by "causing trouble", they DO NOT want to be transferred to a "Maximum Security" facility (Sci Huntingdon - Sci Hatfield - Sci Pittsburgh etc.).

If an inmate is a 'security risk', cause 'security problems' --- he would NOT be a Laurel Highlands, would he!

3. About a year ago, a Pa. state representative was here at Sci Laurel Highlands, a convicted felon - an inmate. His name - THOMAS DRUCE (a) was his "bed-randomly searched", was he "randomly searched out of dining hall" --- 34 TIMES IN A MONTHS? (15 property searches; 19 searches out of dining hall) NO HE WAS NOT SEARCHED 34 TIMES!!! WHY?
- (b) Was his Medical TREATMENT STOPPED causing him unnecessary Pain and Suffering? NO IT WAS NOT!!! WHY?

4. the Pa. D.O.C. complains that they 'do not have enough money' (see attached article) -- Yet the Pa. Doc. takes money FROM THEIR YEARLY BUDGET -- and gives it to other AGENCIES WHO HAVE THEIR OWN BUDGETS -- Why?

--- \$6 MILLION -- from Pa. D.O.C. to Governor Ridge's juvenile community Programs ---

--- \$2 MILLION -- from Pa. D.O.C. to Pa. State Police for safety equipment ---

--- \$15 MILLION -- from Pa. D.O.C. to Volunteer fire companies ---

TOTAL \$23 MILLION

\$500,000^{xx}, new elevator at Sci/Huntingdon -- Never USED --

5. Now the issue that NO ONE in the Pa. Doc - Pa. state government TALKS ABOUT -- the Pa. TAXPAYERS ARE NEVER TOLD ABOUT --

MONEY DAMAGES -- taxpayers dollars, paid out of the Pa. Treasury for unnecessary injuries caused by INCOMPETANT and ILL TRAINED STAFF.

How much does this amount to for the LAST 10 YEARS?

② Williams V. SYED, 782 A2d 1090 (Pa. Commonwealth 2001)
(attached facts)

\$260,000^{xx} awarded to Williams for INCOMPETENT MEDICAL TREATMENT ---

Sci PITTSBURGH -- court mentions, MEDICAL CARE STINKS --

Sci HUNTINGDON -- court mentions, MEDICAL CARE STINKS --

Sci Laurel Highlands is ALSO IN THIS GROUP - - - -
 about a year ago there was an inmate at
Sci Laurel Highlands - his last name was 'HAZEL'
 (sic) (not sure of spelling)

\$600,000.^{xx}_{xx} (plus) awarded to HAZEL for INCOMPETENT
MEDICAL TREATMENT.

I don't have the resources to get all the INFORMATION
 on these issues, yet in 6 different instances -

- \$24,360.^{xx}_{xx} (24 Million) of WASTE! TAXPAYERS
DOLLARS,

QUOTES - In the attached article, "Managing the Twilight Years" -
 - - - "this is a prison of compassion - - - praises their excellent
 professionalism and caring attitudes - - - we treat them as we
 would in any hospital - - - the prison's medical facilities
 are state of the art - - - " Yes, \$600,000.^{xx}_{xx} worth
 of INCOMPETENCE at Sci Laurel Highlands ALONE!

Are there any Taxpayers listening out there?
 Governor Rendell, are you listening?

Richard J. J. AF5977
 Sci Laurel Highlands
 %C

The attached information AND another request for a Transfer to a Custody Level 2, Minimum Security facility has been sent TO THE FOLLOWING by Certificate of Mailing OR by intra prison mail - - - - -

MR. E. Rendell

Governor of Penna.
225 Main Capitol
Harrisburg, Pa. 17120

Mr. H. Clifford O'Hara

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Office of Professional Responsibility
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Mr. William D. Sprenkle

Director
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Pa. Dept. of Corrections
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Camp/Hill, Pa. 17001-0598

rec. buck for Dan

3-24-03

His letter 3-19-03
sent to all 19 people

(A)

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SCI Laurel/Highlands
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Richard Wojtylak
S/ Richard Wojtylak AF5977
SCI Laurel/Highlands
5706 Plades Pike
P.O. Box 631
Somerset, Pa. 15501-0631
/c

(C)

making 3 medications per day which cause DRUGSINESS

(SLEEP!)

TERAZOSIN 5mg capsule (for HYTRIN) once a day
CLONIDINE 0.3mg Tablet (for CATAPRES) Twice a day
CHLORPHENIRAMINE 4mg Tablet (for CHLORTRIMETON) 3x a day } 6 pills per day

I am also Diabetic (194 units of insulin per day)

on 10-17-03 guard EVENESCO (sic) came to my cell with
 another guard that worked duty. EVENESCO (sic) told me that he
 has let me go on being 'down' for 2PM count (asleep) the
 next time I am 'down' for 9PM count he will give me
 a MISCONDUCT! I told him I am taking 3 medications -
6 pills per day THAT MAKE ME SLEEPY! Also I am
 an INSULIN DEPENDANT DIABETIC (large injections of
 insulin) DIABETIC FATIGUE ALSO.

EVENESCO told me to get a slip from MEDICAL that
 says I Take Medication and may not be 'up' for count!
Twilight YEARS' article = TOMEDIA

"this is a prison of compassion" = per Rosemeyer
 "excellent professionalism and caring attitudes" = Rosemeyer praises STAFF
 "we treat them as we would in any hospital, regardless of what they
 have done" = per Jan Kowalewski, registered nurse

a MISCONDUCT for my DISABILITIES! I take pills, 6x per day, that make me
 sleepy, and I will get a MISCONDUCT
 for being asleep?

"Hospital"?
 "Level 2 Facility"?
 "Minimum Security"?

Richard Wojtylak AF5977

SCI Laurel Highlands EX
 11/19

9/c **SICK CALL REQUEST** 9/c

DATE: 10-18-03 (Saturday)

TIME: 8AM

INMATE NUMBER: AF 5977

INMATE NAME: RICHARD WOSTCZAK

HOUSING UNIT: DA 1-1

WORK AREA:

SHIFT YOU WORK:

☒ **MEDICAL**
Please check one.

☐ **DENTAL**

PROBLEM: ① I must see Dr. Choudhury - psychiatrist.

② Asper Hurd EVENESCO (sic) - I must get a slip from Medical that I am taking medication that I may be asleep for 90 minutes.

I am taking Terazosin; CLONIDINE; CHLORPHENIRAMINE - one - twice - 3x per day - 6 pills per day. I also take large doses of Insulin per day (120 units) I have DIABETES FATIGUE. I will get a "MISCONDUCT" because of my DISABILITIES!

I UNDERSTAND THAT THIS SICK CALL VISIT MAY BE SUBJECT TO THE FEES CONTAINED IN REGULATION 37 PA CODE § 93.12 ET.SEQ.

INMATE SIGNATURE:

Place this request form in the locked medical box on the housing unit.

1st sick call slip

Second
SICK CALL REQUESTDate 10-18-03
w/ attachmentsDATE: 10-22-03 (Wednesday)TIME: 11AMINMATE NUMBER: AF5977INMATE NAME: RICHARD WALTZAKHOUSING UNIT: DA 1-1

WORK AREA: _____

SHIFT YOU WORK: _____

☒ MEDICAL
Please check one.☐ DENTAL

PROBLEM:

I must see Dr. Choudhry - psychiatrist

2 As per Capt. Hiler & Guard EVONESSO - I take 6 PILLS per day that make me bleed. I may be out of control if I am I will get a MISCONDUCT from EVONESSO. I am also an insulin dependent DIABETIC (DIABETES) I need a slip (as per Capt. Hiler) that explains me being lay up for court. I need a slip for being down for court. I don't want to be written a MISCONDUCT for my DIABETES.

3 I need a new pair size D CANVAS SHOES (I'm medically approved).

I UNDERSTAND THAT THIS SICK CALL VISIT MAY BE
SUBJECT TO THE FEES CONTAINED IN REGULATION 37 PA
CODE § 93.12 ET.SEQ.

INMATE SIGNATURE: Richard Waltzak

Place this request form in the locked medical box on the
housing unit.

Second sick call slip. First sick call slip with
attachments Dated 10-18-03

Witness
5/ Refused to sign

c/ Second
SICK CALL REQUEST /c

Date 10-18-03
 of attachments

DATE: 10-22-03TIME: 11 AMINMATE NUMBER: AF5977INMATE NAME: Richard W. T. ...HOUSING UNIT: DA 1-1

WORK AREA: _____

SHIFT YOU WORK: _____

☒ **MEDICAL**☐ **DENTAL**

Please check one.

PROBLEM: I must see Dr. Chaudhry - psychiatrist

as per Capt. Hiler & guard EVANOSCO = I take 6 pills per day
for the diabetes, I may be a sleep for a while if I am
in a MISCONDUCT for EVANOSCO. I am also on
insulin dependent DIABETES (DIABETES 1 & 2). I need a slip
(signature) that reflects me from being in a unit
that I can go down for court that has happened before. I don't
want to be written a MISCONDUCT for my DIABETES.

I am on page 13 CANVASSING (I am personally
involved).

**I UNDERSTAND THAT THIS SICK CALL VISIT MAY BE
 SUBJECT TO THE FEES CONTAINED IN REGULATION 37 PA
 CODE § 93.12 ET.SEQ.**

INMATE SIGNATURE: _____

Place this request form in the locked medical box on the
 housing unit.

Second sick call slip. First sick call slip with
attachments Dated 10-18-03
Witness
Refused to sign

1303 I was called to Medical 8 AM. I spoke
 Thursday with a Dr. Waterson (sic). I had my papers
 and pill cards on this with me. Nurse asked me if I had
 permission bring them with me (I have had trouble with this nurse
 before) (Minimum Security - Level 2 facility ???) I was talking to
 the Doctor - she was not involved! He just butted in!!!!

To make a long story short = Waterson (sic) said there is no
problem! This was referred to Dr. Chowdry Psychiatrist and
 Chowdry said there is Nothing that should make me sleep
 at 9 PM count!! This is Not a psychiatric issue!

① Dr. Waterson (sic) that it is marked on the 3 pill cards -
 pill cause disorientation ② and sometimes I am 'asleep' for 9 PM -

③ Evonescor guard, said he is going to give me a Medication!!!
 they are the fools! Saying there is NO problem Does not solve
 the problem away! Also stating this is no a psychiatric problem

to begin with! Waterson (sic) said NO SLIP - He could
 put me on A Block - I said how does that solve the problem?

NO Response from Waterson (sic) He said he would put
 me on last & see Chowdry psychiatrist = I will be called to
 pick up size 13 canvas shoes. (A Total waste of time) Capt.

He said a lot of inmates get these slips! He - I don't
 get slip! (Typical DOC - Inmate is always WRONG!!) ①

3-03 (Court) 10-23-03

The 1st Sick call slip dated 10-18-03 (Saturday) no one knows what happened to that one — by Wednesday 10-22-03 I wasn't called — I was not on sick call list — I had a nurse on DAunt — nurse called Medical, talked to Mrs. Smith — Smith said that Medical did not know anything about the 10-18-03 sick call slip — for me to fill out another slip — see 10-22-03 slip! The point of all this is = Dr. Waterson (sic) said they would get this to Dr. Choudrey and Choudrey said pills would not make me sleep (although I needed that way) that taking pills would not make me "dear" — Choudrey said NO Sleep for Court! I then asked Waterson (sic) = I filled out & turned in 10-22-03 on Wednesday 10-22-03 and I am here on 10-23-03 at 8¹⁵ AM the next day = How did Dr. Choudrey do all of this "OVERNIGHT"? **No** Response from Dr. Waterson (sic).

on 10-22-03 I talked with Capt. Hiler, he was the one who told me that Dr. would give me Sleep for Court! 10-24-03 Capt. Hiler did not come on unit = 10-25-03 **No** Capt. Hiler **No** Capt. Ponell

on 10-24-03 I talked with my Counselor Ms. Sines about all this, she didn't know what to do about all this = **SHE** called J. Wiser unit Manager — Wiser told Sines

First solution from Wiser = that I take the Misconduct and on "informal resolution" Wiser will find me Not guilty and throw out Misconduct

(2)

on to with this solution - if the guard does not write the misconduct as an 'informal resolution' (not a charge!) it will not go to Wiser. So Wiser won't be involved at all! and I get a Misconduct in my file!

② Second solution from Wiser = I write to Rosemeyer and ask him what he should do! (Wiser passes the Buck - typical Doc) Rosemeyer will tell me to file on Inmate Grievance! (a waste of time)

All they have to do is give me a slip which says that I am taking medications which can make me sleepy - AND might put me to sleep for count - ~~NO~~ misconduct to be written.

Not that I will be asleep - but might be!

How hard is this ???

10-24-03; 10-25-03: ~~NO~~ Capt. Hiler, ~~NO~~ Capt. Pondione or SA unit. I Need a Single Cell on Unit A!

I will get a MISCONDUCT

because of my DISABILITIES ??
and I am at Sci Juvail/Highlands
because of my DISABILITIES!

(Explain this!)

③

10-26-03 (Sunday) I saw Dr. CHOWDHURY, this is not right doctor — Dr. CHAUDHARY is the psychiatrist I need to see. Choudhury said he would put me down to see CHAUDHARY on 10-31-03. (both choudhary)

(check my files) — when I saw Dr. Watson on 10-23-03 — he look in my file and SAID that I SAW CHAUDHARY (or CHOWDHURY) on (or 10-15-03 or 10-8-03) I told him I did not see ANYONE; somewhere in the what is written in my file? He would Not let me see my FILE!

10-28-03 Capt. Taylor on block — I didn't feel like going over this entire story with him!

2 psychiatrists
 ① CHOWDHURY (saw on 10-26-03)
 ② CHAUDHARY
 is one they are saying is writing in my files

I am still waiting to talk to Capt. Heller!

EVERESAO (sic) gave a Misconduct to inmate T. Purcell for sleeping during 9PM count! Purcell takes about 7 different pills that make him sleepy! Purcell talked with J. Wiser — Unit Manager; Wiser called Dr. Watson, Watson told Wiser to tell Purcell to take ALL 7 PILLS AFTER 9PM COUNT!

(4)

Wiser WROTE th^o Purcell's Misconduct. Wiser Told
Purcell To Tell Me!

Takey All these chemicals at one time - can't be
good for you! these pills are not prescribed by drug
company & be taken All at once!!!

They (DOC) are saying to do this - do that - everything & everything
EXCEPT Give me a SLIP!! TYPICAL DOC

this solves the problem

10-31-03 (Friday)

5PM I talked to Dr. CHAUDHARY psychiatrist (the right one)

single word

He said, "I'm sorry, I can't help you"

(see Capt Hiler
11-6-03
10-22-03)

I am sent to Level 1/Highlands because of my Disabilities - Special
Needs — then they give me Misconducts because of
my Disabilities AND TAKE AWAY Medications - treatments
for my Special Needs — Why???

A Level 2 - Minimum security it's NOT!

Please explain

11-6-03 Saw Capt Hiler this morning - talking about No Sleep -
take pills at once after 9PM can't sleep — He said
there is Nothing he can do! (see psychiatrist) see 10-22-03

(5)

DC-804
Part 1COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA 17001-0598

FOR OFFICIAL USE ONLY

68280

GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>MS. NIGHTENGALE</i>	FACILITY: <i>Sci LAU</i>	DATE: <i>11-21-03</i>
FROM: (INMATE NAME & NUMBER) <i>RICHARD WOITZAK AF5977</i>	SIGNATURE of INMATE: <i>[Signature]</i>	
WORK ASSIGNMENT: <i>medically unable to work</i>	HOUSING ASSIGNMENT: <i>1A 1-1</i>	
INSTRUCTIONS: 1. Refer to the DC-ADM 804 for procedures on the inmate grievance system. 2. State your grievance in Block A in a brief and understandable manner. 3. List in Block B any actions you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.		
A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages. <i>I am taking Terazosin; Clonidine; chlorpheniramine - 6 pills per day for some of my disabilities. This medication makes me sleep. On 10-17-03, 9pm, I was in the guard house with guard P.D.s. I was in the guard house for 10 minutes. This does not happen often. I also have Diabetes; I am on insulin. I was told if I had a seizure, I would be in trouble. I talked with Capt. Hiler - he told me to get a slip from the Doctor. Other inmates have slips excusing them if they check for count. I asked Dr. Watson for a slip, he said NO slip! Making down for count will happen in the future. I told what Sci Laurel/Hyller does? I will furnish the inmate with a MISCONDUCT. Sci Laurel/Hyller provides me (Hyller) for my disabilities! What do I do?</i>		
B. List actions taken and staff you have contacted, before submitting this grievance. <i>Capt. Hiler; Dr. Watson; Dr. Schullberg; Mr. Jordan; P. Simon; Co, Emerson (sic).</i>		

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

WHITE - Facility Grievance Coordinator Copy CANARY - File Copy PINK - Action Return Copy GOLDENROD - Inmate Copy

Revised
December 2000

DC-804
Part 1COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA 17001-0598

FOR OFFICIAL USE ONLY

68280
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR MS. NICHTEGAL	FACILITY: SCI LAU	DATE: 11-21-03
FROM: (INMATE NAME & NUMBER) RICHARD WOJTEZAK AFS977	SIGNATURE of INMATE: <i>[Signature]</i>	
WORK ASSIGNMENT: initially unable to work	HOUSING ASSIGNMENT: 1A 1-1	

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any actions you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages.

*I am taking Thorazine; Elavil; chlorpheniramine. I will be
day for some of my disabilities. This medication makes me sleep. Since
1047-63. I want to get out of here along with great PL's and
I am asking for count. This does not happen often but it has happened
I am now diabetic patient. I want to get out of here as soon as possible
I have been told by the MIS coordinator.
I talked with Capt. Miller - he told me to get a slip from the Doctor - Office
WHAT AS HAVE Slips explaining that if they are asleep for count.
I asked Dr. Watson for Slips. He said NO SLIP!
Making down for count will happen in the future. For this
what SC I want to know, does it? Purish the inmate with
a MISCONDUCT. SC I want to know, purishes me (MISCONDUCT)
for my disabilities! what do I do?*

B. List actions taken and staff you have contacted, before submitting this grievance.

*Capt. Miller; Dr. Watson; Dr. Shusterman; Mr. J. W. Jones; P. Simon
Co, Emmett (in).*

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

Ex 80

WHITE - Facility Grievance Coordinator Copy CANARY - File Copy PINK - Action Return Copy GOLDENROD - Inmate Copy

Revised
December 2000

DC-804
Part 1COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA 17001-0598

FOR OFFICIAL USE ONLY

68280
GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR MS. NICHTEGAL	FACILITY: SCI LAU	DATE: 11-21-03
FROM: (INMATE NAME & NUMBER) RICHARD WOJTEK AF5977	SIGNATURE OF INMATE: <i>[Signature]</i>	
WORK ASSIGNMENT: medically unable to work	HOUSING ASSIGNMENT: 1A 1-1	

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any actions you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages.

I am taking Tramadol; Clonidine; chlorpheniramine - to help me sleep for some of my Disabilities - This medication makes me sleep, but 1047-13 Prisoners guard themselves play with guard PLIS don't count. I was asked for count - they did not respond at all - but it was dangerous. I also have Diabetic fatigue. Guarded (id) the no of hours I work for count. Again I am unable to work as MIS conduct.

I talked with Capt. Hill - he told me to get help from the Doctor - Other INMATES HAVE Slips explaining their illness for count. I asked Dr. Watson for Slip, He said NO SLIP! Making Brown for count will happen in the future - Is this what Sci Laurel Highlands does? Punish the inmates with a MISCONDUCT. Sci Laurel Highlands punishes me (PLS correct) for my Disables, what do I do?

B. List actions taken and staff you have contacted, before submitting this grievance.

Capt. Hill; Dr. Watson; Dr. Shumway; Mr. Justice; P. Sims; Co, E. (id).

EXTRA COPY

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

WHITE - Facility Grievance Coordinator Copy CANARY - File Copy PINK - Action Return Copy GOLDENROD - Inmate Copy

Revised
December 2000

DC-ADM 804, Inmate Grievance System

Attachment B

DC-804
Part 2COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA 17001OFFICIAL INMATE GRIEVANCE
INITIAL REVIEW RESPONSE

GRIEVANCE NO. 68280

Rec
12-5-03
pw

TO: (Inmate Name & DC No.) Woitczak, Richard	FACILITY LAU	HOUSING LOCATION DA-1/1	GRIEVANCE DATE 11/21/2003
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The following is a summary of my findings regarding your grievance:

I have received your grievance dated 11/21/03 # 68280. I have met with you reviewed your pill packs, and discussed this with the medical dept. I have also discussed this with Officer Plis, he is now aware that you are taking meds that cause drowsiness. He told me that had you shown him the pill packs it never would have been an issue. You can not expect the Staff to just excuse you from following a rule with out just cause. Based on this I am denying your grievance.

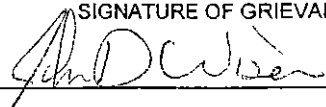
See Ex 79; Ex 80 and 1-2-3-4-5
attached herein - - -
Ex 70

Cc: Supt. Rosemeyer
Deputy Hunsberger
Deputy Gates
DC-15
Betsy Nightingale
Officer Plis

this is the typical D.O.C. Phatonic mon answer - No solution to the situation - a careful Review of the Facts - Truth clearly show **① CO, PLIS IS LYING ② I WILL get A MISCONDUCT BECAUSE OF MY DISABILITY ③ SC, LAU is NOT** person of Compassion - - - is **NOT** a pioneer - - - in caring for the elderly and severely **DISABLED** prisoners - - - staff **Does NOT** have professional and caring attitudes - - - inmates are **NOT TREATED** as they would be in **ANY HOSPITAL**
See Exhibit 70 attached.

on **10-17-03** - CO, EVENESCO came to my cell and told me if I was asleep for 9PM Count again he would issue me a **MISCONDUCT**. CO, I told CO, EVENESCO about the 3 medications I take that make me sleepy. CO, EVENESCO told me to get a **SLIP** from Medical - (No Misconduct if I am asleep for Count!) **Capt. Hiler** told me the same thing - get a **SLIP** from Medical - that a lot of inmates have this **SLIP**

CO, PLIS was with CO, EVENESCO on **10-17-03** and he heard **ALL** about the 3 medications that make me sleep. **CO, PLIS** knew about Medical **10-17-03** I received **NO SLIP** from Medical Dept. - **DRUG ABUSE**!!

Print Name and Title of Grievance Officer John D. Wiser	SIGNATURE OF GRIEVANCE OFFICER 	DATE 12/5/2003
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Certificate of Service

I, Richard Wojtyla hereby certify that I
have mailed a true and correct copy of this
Amended Complaint To:

Pa. Dept. of Corrections
P.O. Box 598
2520 Lisbon Rd,
Camp Hill, Pa. 17001-0598
Jeffery A. Beard Ph.D.

MR. Kenneth Kyle
Superintendent
SCI/Huntingdon
1100 Pike St.
Huntingdon, Pa. 16652

On this 17th day of January, 2004:

Respectfully,

s/ Richard Wojtyla
Richard Wojtyla 105977

1: CV 01-1163

From: Rev. Dr. Donald E. Moyer
2085 Swamp Pike
Wehertsville, PA. 19525

RECEIVED
SCRANTON

JAN 21 2004

MARY E. D'ANDREA, CLERK

Per 
DEPUTY CLERK